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REPORT
OF THE
COMMITTEE OF THE GENERAL ASSEMBLY
APPOINTED TO
INVESTIGATE THE CHARGES
AGAINST
DIXMONT INSANE ASYLUM,
AND THE AFFAIRS OF THE
WESTERN PENITENTIARY.

HARRISBURG:
LANE S. HART, STATE PRINTER.
1883.

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REPORT

OF THE

COMMITTEE OF THE GENERAL ASSEMBLY

APPOINTED TO

INVESTIGATE THE CHARGES AGAINST DIXMONT INSANE ASYLUM,
AND THE AFFAIRS OF THE WESTERN PENITENTIARY.

*To the Senate and House of Representatives of the Commonwealth of
Pennsylvania :*

Your committee, appointed by concurrent resolution of February 5, 1883, to inquire into the management of the Western Pennsylvania Hospital for the Insane at Dixmont, begs leave to submit the following report :

Your committee met at the city of Pittsburgh on the 22d day of February, 1883, and organized by the election of Representative J. J. McCrum chairman, and Representative J. L. Graham secretary. Fifty-two witnesses in all were examined by the committee. The testimony taken, covering 1,278 pages of manuscript, is herewith submitted and made part of this report. It will be observed, both by the testimony and by the annual report of the Western Pennsylvania Hospital, that that hospital is a chartered institution, and comprehends within its charter two separate and distinct establishments under one general management, to wit: The department for the insane at Dixmont, situated on the right bank of the Ohio river, about twelve miles from the city of Pittsburgh, and the department for medical and surgical purposes, situated in the Twelfth ward of that city. The act of March 18, 1848, incorporating the Western Pennsylvania Hospital, provides for its management as follows :

SECTION 2. That the control, government, management, and domestic economy of the institution, and of the business and concerns of the hospital, shall be vested in a board of twenty-one managers, (eleven of whom shall be a quorum for the transaction of business), who shall be elected at the first annual election under this act on the third Tuesday of April next, one third of whom shall be for one year, one third for two years, and one third for three years; and at their first meeting thereafter the said board shall elect from their own number a president, a first vice president, and a second vice president; and at all subsequent annual elections, on the third

Tuesday of April, seven managers shall be elected by the contributors to serve for the three succeeding years, and no manager shall be ineligible to re-election, to which number shall be added those contributors who may acquire a right to become members of the board of managers, agreeably to the provisions contained in the succeeding section.

SECTION 3. That any contributor who has already or who shall hereafter subscribe the sum of \$1,000 as a single benefaction, or who has already subscribed a less sum and subsequently increased the sum to \$1,000, on payment of the same into the treasury shall be entitled to become a manager for life, and shall have the right to nominate and send one patient to the hospital: *Provided*, The person so nominated shall be of the condition, and fall within and comply with the rules that may be established for the government of the institution, and the same privileges and rights shall be conferred on any person who shall subscribe and secure the payment of \$100 per annum for life or for the period of fifteen years.

By a supplement to the charter, approved March 19, 1856, it is further provided "that the Governor of this Commonwealth shall have power to appoint annually three persons, citizens of Pennsylvania, to serve as managers for one year of the said Western Pennsylvania Hospital." By section thirty-six of an act entitled "An act to provide for the ordinary expenses of the Government and other general and specific appropriations," approved the 16th day of April, 1869, making an appropriation of \$88,559 36 to this hospital, it further provides for the management thereof as follows: "And the Legislature hereby reserves to itself as a condition upon which the appropriations contained in this section are made, the right at any time hereafter to assume and exercise in authorizing the appointment of managers on behalf of the State, a control in the management of said Western Pennsylvania Hospital proportionate to the amount of money contributed by the State for the establishment of said hospital and the construction of its building, as compared with the amount contributed by others for the same purpose." The same conditions verbatim were contained in the act of April 11, 1868, making an appropriation of the sum of \$101,500 to this hospital, and the moneys so appropriated were accepted by the hospital authorities from the State.

The appropriations made by the State to the Western Pennsylvania Hospital from time to time, are as follows:

By act of May 8, 1855,	\$10,000 00
By act of March 19, 1856,	20,000 00
By act of May 18, 1857,	5,000 00
By act of April 21, 1858,	7,000 00
By act of April 12, 1859,	25,000 00
By act of April 3, 1860,	55,000 00
By act of April 18, 1861,	25,000 00
By act of April 18, 1862,	20,000 00
By act of April 14, 1863,	33,000 00
By act of April 4, 1864,	55,000 00
By act of March 20, 1865,	65,000 00
By act of April 11, 1866,	82,600 00
By act of April 11, 1867,	137,664 00
By act of April 11, 1868,	101,500 00
By act of April 16, 1869,	88,559 36
By act of April 6, 1870,	22,000 00
By act of May 27, 1871,	21,000 00
By act of April 3, 1872,	25,000 00

By act of April 9, 1873,	\$26,000 00
By act of April 6, 1874,	36,000 00
By act of April 27, 1876,	85,800 00
By act of May 16, 1878,	82,900 00
By act of June 29, 1881,	62,000 00

Making a total of \$1,090,923 36
 contributed to this institution by the State. Of this sum \$641,223 36 was
 appropriated for building purposes.

The lands upon which the insane hospital at Dixmont is located were purchased by the Western Pennsylvania Hospital out of moneys contributed by individuals, and comprise three hundred and seventy-eight acres, and were purchased for the sum of \$48,600. This is all the money the committee have any evidence of having been contributed by individuals toward the establishment of the insane hospital at Dixmont. There are thirty life managers of this institution, of whom it is to be presumed, agreeable to the provisions of the charter above referred to, have each contributed \$1,000, making \$30,000 contributed from this source. The control and government of this institution is at present vested in a board of twenty-four managers, twenty-one of whom have been elected by the individual contributors, and but three appointed by State authority, (and in the life managers.) This being so it is apparent that the provisions of the act of 1868 and 1869, providing for the appointment of managers on behalf of the State, a control in the management proportionate to the amount of money contributed from time to time by the State for the establishment of the hospital and the construction of its buildings as compared with the amounts contributed by others for the same purpose have never been carried into effect, but remained a dead letter.

Your committee would, therefore, recommend and urge upon the Legislature that the provisions of this act be carried into effect, and that appropriate legislation for the purposes thereof be passed. This, in the judgment of your committee, is due to the tax-payers of the Commonwealth, whose money has been so liberally appropriated to this institution on the conditions expressed in the act of Assembly above referred to, and would tend to bring this insane hospital under State control, where all such institutions properly should be.

The management of this insane department appears to be intrusted by the board of managers, with but little supervision on their part, almost exclusively in the hands of one person, namely, the superintendent and physician in charge, against whom nothing can be said except that his physical infirmities are, and have been such that for some time past he has not been able to give that attention to the duties of this highly responsible position which the welfare of those intrusted to his care and keeping require. Frequently months intervene between his visits through this institution, and the care of the patients has, therefore, at these intervals been left without his immediate supervision. The two assistant physicians connected with the institution are efficient young men and admirably fitted for their respective positions—the one having charge of the male department, and the other the female department—but their efficiency, however superior, can not make up for the want of a vigilant superintendent and management.

The present superintendent and physician in charge has been connected with this institution since its earliest foundation, and has devoted to it his energies and the best years of his life, and has at all times deservedly occupied an exalted position among those in his profession for his learning as well as for his skill in the treatment of the insane, and it is a thing much

to be regretted and deplored that he does not now possess that physical vigor required for a more active discharge of the onerous duties of his position, and his speedy recovery to health and vigor is most sincerely to be hoped and wished for.

The attention of the committee, in obedience to your resolution, was particularly directed to the inquiry as to whether insane patients had been maltreated whilst inmates of this institution, and also whether persons not insane were detained therein, and thus unlawfully restrained of their liberty. Of the latter, it affords the committee great pleasure to say that there was no evidence adduced before them that would justify the belief that any person not insane has been committed to that institution, and caused to be retained there. In reference to the former, a large amount of testimony was taken by your committee, and much of it, upon examination, will be found to be of a very conflicting character.

Three persons who had been patients in the institution testified to the effect that they had been maltreated and abused by attendants whilst therein. Your committee, in considering the testimony of these persons, feel constrained to say that it is of that character that little, if any, credibility can be given to it. It is a fact well known to those who have experience in the care and treatment of the insane, as was testified to before your committee, that a certain degree of restraint is necessary to prevent violent patients from doing harm to themselves or to others, and that the application of but moderate restraint, often leaves the impression upon the patient's mind of violence having been used upon him, which never in reality has been, and this impression remains and may be honestly entertained after the patient's mind has apparently been restored to a sound and healthy state. It is for this reason that the testimony of such persons when testifying to things which transpired when they were insane, should be viewed with incredulity and no weight given thereto unless corroborated by other reliable witnesses.

Witnesses were produced before the committee and examined, however, who had been employed in the institution as attendants, and who testified that they had seen other attendants beat and maltreat insane patients and use unnecessary violence in restraining the insane, both in the male and in the female departments—the same witnesses testifying that care had been taken to conceal a knowledge of such violence having been used upon patients from the superintendent, and the assistant physicians, and your committee was unable to trace a knowledge of such facts to these authorities. It is sincerely to be hoped that the visiting committees of this institution, to whom reference will be made hereafter, may see the importance of adopting such police regulations that no such thing can occur hereafter without the same being detected and the guilty offenders brought to punishment.

The visiting committees of this institution, under the rules governing this institution, are appointed by the board of managers out of their own number—one committee for each month in the year, whose duty it should be, and undoubtedly is, to visit every insane person therein, to satisfy the committees, and to know, by a thorough, careful, and critical examination, that the various wants of the patients are being supplied, and that no maltreatment is being inflicted upon them. Your committee are informed, however, that this duty is very greatly neglected, and but seldom performed. To say that this is a wrong is to put it most mildly. He who takes upon himself so important and so sacred a trust as this should discharge it with the strictest fidelity, and in all its details. The friends of those who are entrusted to their keeping have a right to expect this of them, and those who have so cheerfully and so liberally contributed of their

means to the support of this institution, have a right also to expect that its managers will neglect no duty imposed upon them which so much affects the welfare of these unfortunate inmates.

The hospital building at Dixmont is a well-constructed building, handsomely located on an elevation about one hundred feet above the Ohio river, and is well adapted to the purposes for which it was erected. Its ventilation and sewerage is as near perfection as well can be, and it is well supplied with pure spring water, carried into the building from an eminence a short distance therefrom. It is also well provided with heating apparatus, and due precaution appears to be taken to prevent accident from fire. The grounds surrounding are tastefully laid out, and every care taken to make them beautiful and attractive. The patients are well supplied with wholesome food, comfortable clothing and bedding, and clean linens prevail throughout.

The appliances in use by this institutions, for the restraining of violent patients so as to prevent them from doing harm to themselves or others, are of such kind and pattern as to do the least possible injury to the patients. This institution contains twenty-one wards, and is now inhabited by about five hundred insane patients. There are two attendants in each ward, who have the immediate charge of patients. Over these attendants there is a supervisor for the male wards and a supervisoreess for the female wards, an assistant physician for the female wards, an assistant physician for the male wards, all of whom are subordinates to the superintendent and physician in charge, who has the right to employ and discharge any of the attendants and supervisors at will. In the hands of the superintendent and physician in charge is vested the double duty of superintending everything pertaining to the business management of the institution, the purchasing of supplies, clothing, and anything else which the needs of the hospital require, as well as the supervision of the farm and grounds connected therewith, and the duty of attending to the medical wants of the patients and superintending their care and treatment, and all that is done by the attendants and supervisors.

Your committee feel it their duty to earnestly recommend that the management of this institution be so changed that the office of superintendent and office of physician in charge be not filled by one and the same person, as at present. The physician in charge should be so situated in his relations to the management as to be the superior of the superintendent, and the critic upon the care and attention bestowed upon the patients by the superintendent, supervisors, and attendants, and of everything furnished to the institution in which the comfort and welfare of the patient is any way interested, and thereby be more nearly the friend of the patient. The physician in charge should not be in any way interested in the care of the building or property, or in the purchasing or providing of food, clothing, bedding, or in any of the business management of the institution, save only as such interests concern the welfare of the patients; and to this end he should be the critic of this part of the management, and should be vested with ample power to right wrongs and correct abuses when found to exist therein. As the management now is, the appeal is from the man in the capacity of the superintendent to the same in the capacity of physician in charge. There is no class so helpless, no class so deserving, or so urgently in need of the fullest protection, as the unfortunate insane committed to these institutions, and over their care and keeping should be a responsible head, ever vigilant and attentive to their wants. The carrying into effect of this recommendation, your committee has every reason to believe, would be productive of good results in the management of this institution. Un-

der the management as it now is, the greater portion of the time and attention of the physician in charge must necessarily be occupied with the extensive business management of the institution, and the minor portion of it to that watchfulness and care over the patient which should be the physician's only province and duty. Such separation exists in many other hospitals for the insane, and in hospitals for medical and surgical purposes, and should exist in this one; and it is to be hoped the managers may provide means for carrying into prompt and full effect this recommendation.

Your committee would further recommend a separation of the management of the hospital for medical and surgical purposes, situated in the Twelfth ward of the city of Pittsburgh, from the management of the hospital for the insane at Dixmont, believing that good results would follow such separation and distinct management. The committee would fail in its duty did it omit directing your attention to the fact that persons have been confined in this asylum on the certificate of one or the other of the asylum physicians of the hospital itself, with that of one physician outside the institution. Thus the keepers of an asylum for the insane are themselves acting as judges of the insanity of those who are supposed to be committed to their charge by others. How many such cases there have been the committee has no means of knowing; but the fact appears from the admissions of the hospital physicians as well as from the testimony of Dr. Burns, a physician living in the vicinity of the hospital, who was sometimes called to sign certificates. This practice is assumed by the hospital authorities to be justified by the act of Assembly entitled "An act to provide for the admission of certain classes of insane into the hospitals for the insane in this Commonwealth," approved April 20, 1869—P. L. 78, Sec. 1—which is in these words: That an insane person may be placed in a hospital for the insane by their legal guardians, or by their relatives and friends in case they have no guardians, but never without the certificate of two or more reputable physicians after a personal examination made within one week after date thereof, and the certificate acknowledged and sworn to or affirmed before some magistrate or judicial officer, who shall certify to the genuineness of the signatures and to the respectability of the signers.

In the opinion of the committee, this act was never intended to authorize keepers of insane asylums to take into their own custody, by means of their own certificates, any power in the State. The liberty of the citizens of Pennsylvania is not so slightly guarded, and no such proceedings ought to be sanctioned. Argument against it is unnecessary. It seems monstrous that one could maintain that any person in this State could be restrained of his liberty upon the certificate of his keeper himself, under a pretense of a law which declares that no person shall be placed in an asylum without the certificate of two or more reputable physicians, which shall be acknowledged and sworn or affirmed by them before a magistrate. The learned Judge Brewster, in the case of the Commonwealth *ex rel.* Nyo vs. Kirkbridge, 2 Brewster, 400, after describing how a man might be detained in an asylum without a jury trial, says: "It is surely no answer to this to say that he is no longer put in a dungeon, and chained or waist-coated and tortured as of old. Imprisonment is none the less a wrong because the place of confinement is a palace." Of course, if the certificate of one of the hospital physicians adds anything to the validity of the confinement of any inmate, the certificate of the two of them would be equally effective in restraint of liberty, and the practice referred to cannot be too strongly condemned. All of which is respectfully submitted.

J. J. McCrum,
WM. W. HART,
JOHN W. WALKER.

THE MINORITY REPORT.

To the Senate and House of Representatives of the State of Pennsylvania :

The undersigned members of the joint committee for the investigation of alleged cruelties and abuses to patients in the Western Pennsylvania Hospital for the Insane at Dixmont, respectfully submit the following minority report :

We have endeavored to unite a report with the majority of the committee, but we find at the outstart an inseparable barrier in a difference of opinion as to the proper construction of the resolution for investigation of the hospital, as well as in the views of the testimony taken pursuant to the appointment. Your committee, representing the minority, contend that the resolution calling for the investigation contemplated the limitation of the inquiry into the truth or falsity of the charges of abuse and maltreatment of the insane, and the alleged willful detention of sane persons as patients in the institution. We contend that the testimony taken sustains our construction of the resolutions for investigation, as it was confined to rebutting the charges indicated. We, therefore, dissent entirely from the portions of the majority report which finds that "the management of the insane department appears to be entrusted by the board of managers, with but little supervision on their part, almost exclusively in the hands of one person, namely, the superintendent and physician in charge, against whom nothing can be said except that his physical infirmities are and have been such that for some time past he has not been able to give that attention to the duties of this highly responsible position which the welfare of those intrusted to his care and keeping require."

Where the majority obtained the information to justify so serious a charge we are unable to say, for the testimony shows that with the exception of a period of nine weeks' illness in the year 1882, the superintendent and physician in charge has been active, vigorous, and efficient in the discharge of his official duties. During the time the superintendent was sick none of the instances of alleged abuses or negligence referred to by the majority of your committee occurred. The conceded high state of efficiency and excellent discipline of the institution, so fairly and fully reported by the majority of this committee, is in itself the best answer to the statement in the same report that the superintendent and physician had for years become inefficient and disabled through ill-health. Certainly the evidence of ex-patients and attendants, not considering that of Doctors Reed, Wiley, and Hutchinson, proved the contrary, and that Doctor Reed, the superintendent, actually visited the various wards and prescribed for patients, and never neglected his duties through ill-health, except for the few weeks last year.

In the same position of reporting an information and not the evidence, we claim the majority of the committee have been misled into reflecting on the board of managers and the visitors' committee of the institution for failing to pay visits as frequently as the interests of the patients required. The managers, who are all criticized, are all very large contributors to

this elarity, and we know that "where the treasure is there will the heart be also." Had these gentlemen been aeused of remissness, or embraced in any eharges, or implicated by any testimony, they would have shown the injustice of these aspersions. The finance and exeecutive committees met alternate weeks on the hospital premises, and the monthly visiting committees discharge the duties assigned them with fidelity. We do not desire to be misunderstood in the foregoing remarks as in any way disputing either the right or power, or even the duty, of the Legislature to investigate to the fullest extent an institution receiving the bounty of the State for its maintenanee. We simply desire to demur to reporting to the subjects not referred to the committee, and on which no testimony was taken.

Recurring now to the subject proper of the investigation, and the testimony, even under the resolution of the Senate and House, let us briefly allude to the origin of the charges leading to the investigation. An aged physieian, Dr. Charles Sevin, residing in Erie, was committed by the court to Dixmont in 1874, and he continued an inmate until January, 1883. He was removed to his former home by his eousin, who personally thanked the Dixmont management for the uniform kindness and affectionate eare and treatment extended to his ward. This unfortunate physician, whose insanity had become chronic, was interviewed on his return to Erie by a reporter of the *Erie Herald*. In this publication, charges were made of maltreatment of patients by attendants at Dixmont, and the culpable or negligent detention of sixty persons not insane as patients by the superintendent or physieians in charge. These charges received the greatest publicity through their subsequent republication in all the leading journals of the eountry. The Legislature being in session at the time of these publications, and Dixmont Hospital was before that body asking its annual appropriation for salaries, &c., it was proper, therefore, that the eharges and speeifications of abuse and maltreatment attributed to Dr. Sevin, whom all the publications asserted was fully restored to mental health, should be investigated and inquired into by the Legislature without delay. The evidence shows that the Dixmont authorities requested Senators and members of the Assembly to join the general demand for the investigation, as due the institution. The proceedings of the Legislature and the resolution for the appointment of the eommittee being thus predicated on the eharge of Dr. Sevin, no others were formulated or referred to the eommittee for inquiry. That these charges were wholly disproved, as simply delusions of Dr. Sevin's brain, appeared by his own testimony before the committee, when he pronounced the whole publication false and exaggerated.

Two ex-attendants of the male department and three of the female departments, all of whom were discharged for various charges from the employ of the institution, testified to the abuse and applieation of unnecessary restraint to patients by attendants. As stated by the majority report this testimony bore evidence of great trials, and was involved in such contradictions as to make it as unreliable and unsafe to believe as the delusions of the three insane witnesses which the majority report very properly rejects as wholly unworthy of eredenee. The testimony of all these witnesses as to the speeifie and general eharges of ill-treatment of patients by attendants, was most positively contradicted by a large number of ex-lunatics and offieials and persons having intimate knowledge of the treatment and the care of patients at Dixmont. Doetors Wiley and Hutehinson, the assistant physieians, whose effieieney and energy in the discharge of their respective duties in the male and female departments, elieit the just practice and admiration of the majority report, both pronounced the stories of these wit-

nesses to be false and exaggerated. They declared that during the period embraced in these charges, they, agreeably to their duties, visited every patient at least twice a day, and that they would have, by actual inspection, discovered such injuries, bruises, or maltreatment as these witnesses averred were inflicted on patients. They also positively declare that it would have been impossible for these attendants to have concealed from them these injuries to patients. The physicians, in their testimony, also give another potent reason for disbelieving the stories of these abuses, and that is that the patients who were alleged to be maltreated were all subject to some delusion, sane enough to make complaints against the attendants abusing them, and that no such complaints were ever made.

Samuel Caldwell, for fourteen years supervisor of the male department, and who resigned last year owing to ill-health, also denied the story of these ex-attendants, and fully corroborates Doctors Wiley and Hutchinson. Mr. Caldwell saw the patients even more frequently than the physicians, and he denied the patients named received such abuse or maltreatment, and that it would have been impossible to have concealed the injuries described as inflicted upon them by attendants. He also asserts that the patients named were competent to make complaints, if injured, to him as the supervisor. However, probably the strongest refutation of the malicious testimony of the female ex-attendants as to injuries inflicted on female patients, is contained in the volunteer evidence of the two ladies to their confinement at Dixmont for several months, at different periods, and described their personal experiences as indicating the greatest care and kindness on the part of physicians and attendants. During their convalescence at the institution, they observed the same uniform affectionate treatment to all other patients. These ladies, it appears, were frequently obliged to be placed under necessary restraint to control their paroxysms. Fairly and fully, we think, has all this testimony of abuses been overcome, both by preponderance in number and the character of witnesses contradicting the same.

The evidence on the subject of the strict rules and discipline of attendants, as originally enforced by Doctor Reed, was evidently overlooked by the majority of the committee when they recommend the adoption of suitable rules to prevent abuse by attendants. If any one fact more than another was brought out in the testimony, it was that attendants lived in dread of violation of the strict rules of the establishment. The immediate discharge of any attendant to strike or abuse patients, or even to apply restrictions without orders from the physicians in charge, would be the result. Every precaution possible appears by the testimony to have been taken by the superintendent and physicians to prevent as well as to detect any abuse of patients by those employed to guard the insane.

We fully share in the views of the majority as to the high standing and excellent condition of Dixmont Hospital. Its successful operation to the present time by public-spirited managers, opulent citizens of Pittsburgh and vicinity, who have contributed in land and money to the corporation—\$500,000—is an answer to the proposition of the majority report that more beneficial results than its past history exhibits will be accomplished by having the State assume the future management. The amount contributed from private benefits to this noble charity was not a question before the committee in this investigation, and we are at a loss to discover where the majority learns that \$40,000 have been contributed from private sources.

The annual reports of the institution show that since the organization of this charity one hundred life managers have qualified by the payment of the minimum of \$1,000. Many of these contributors increased their

subscriptions very largely. Many valuable bequests have also been made to the institution, swelling the benefactions in land and money from private sources to over \$500,000. During the present year, and since the commencement of this investigation, John Holmes, for many years prior to his death first vice president of the institution, died, and bequeathed to the charity upward of \$60,000, to be divided equally between the hospitals controlled by the corporation. Mr. Holmes was a retired merchant of the city of Pittsburgh, who visited the insane department with great regularity, at least once a week for years before his decease, and probably no officer of the hospital had greater knowledge of the vast good the institution was accomplishing under the wise and humane management of the superintendent and physician in charge. The summary of the appropriations made by the State, beyond what was expressly appropriated for the erection of the building, and which aggregated \$500,000, does not, in the majority report, convey a distinction in considering the same. Exclusive of what was applied by the Legislature to building purposes, the various acts of Assembly indicated show that the other appropriations annually made to the institution were to cover actual deficiencies in the support and maintenance of State and indigent insane patients. Appropriations, therefore, of this kind is the simple payment of a debt by the State, and, properly speaking, has no right to be estimated as pure donations like the benefactions of private subscribers. The recommendation, therefore, of the majority report, that under the provisions of the act of 1869, quoted, the State has acquired the right to appoint a controlling number of managers, and should now exercise the power to increase the efficiency of the hospital is not concurred in by the undersigned. No evils or abuses are reported to exist to call for the transfer to the State of the management of this hospital.

No State hospital at present can show a higher grade of efficiency in all departments than the majority report so justly concedes to the management of Dixmont Hospital. The greatest scandal of the nation is now being developed in the relations of the treatment of the insane in an institution wholly under control of the State of Massachusetts for half a century. So long as private individuals, actuated by motives of humanity, lavishly contribute their money and render gratuitous services and donate their time to the care and treatment of the insane, and can point to the results as exhibited in the whole history of Dixmont Hospital, the State may well leave this work to their hands instead of incurring the risk of having its management and control made the subject of political contention on each election in the State. However, the gravest legal objections are presented to the assumption of a controlling influence by the state of this institution, based upon the condition incorporated in the appropriation act of 1864, and quoted by the majority report. The corporate rights of contributors and the donations in land and legacies to the same can not be interfered with by an act of Assembly, and to fully determine the power of the Legislature to so impair a charter granted before the Constitution of 1874, would require tedious and expensive litigation, calculated to impair the efficiency of the charity.

We cannot concur in the grave reflections in the majority report in the very few cases in which the evidence shows patients to have been admitted to Dixmont on certificates, where one of the resident physicians joined with a neighboring physician in certifying to the insanity of a candidate for admission. While no act of Assembly prohibits such certificate, still the practice is not to be commended for the very proper reasons advanced in the report of the majority. The cases in testimony were instances where patients came a great distance, failing to procure proper medical certifi-

cates. To entail a long journey and expenses on the friends of these insane, and to reject the candidate, would also be esteemed a great hardship, and would call for merited censure.

Your committee, therefore, summarize their conclusions, and report as follows :

First. That all the specific charges of maltreatment embraced in the charges formulated in the published interview of Doctor Charles Sevin, originating in the *Erie Herald*, and made the basis of the legislative investigation, were clearly and conclusively found to be wholly false and without foundation in fact.

Second. That the supplemental charges of cruelty testified to by several attendants were also found to be so biased and involved in contradictions as to destroy its credibility in every particular, and all this character of testimony was fully and conclusively contradicted by a large preponderance in number and unquestioned superiority in character of witnesses, contradicting and disproving each.

Third. We find that Doctor J. A. Reed, the superintendent and physician in charge of Dixmont Hospital, is now in the full prime of his intellectual usefulness, and that the condition and excellent discipline of the hospital at the present time is the best tribute to the efficiency and remarkable ability he has always displayed since assuming charge of the institution, and that no testimony was introduced at the sessions of the committee to impugn his capacity and ability as an officer, physician, or philanthropist.

All of which is respectfully submitted.

JAMES L. GRAHAM,
HUGH McNEILL.



TESTIMONY.

And now, to wit, Pittsburgh, February 23, 1883, the joint committee, appointed by the Pennsylvania Legislature to investigate the charges against the management of Dixmont Insane Asylum, met this A. M., at ten o'clock, all the members of the committee present.

The committee organized by electing Honorable J. J. McCrum chairman of the committee, and Honorable James L. Graham secretary.

Numerous communications were received from various persons and parties reflecting seriously upon the management at Dixmont. The chairman was directed to telegraph to Dr. C. C. Carroll, of Baltimore, and his brother, J. W. Carroll. Also Drs. Lashells and Green, of Meadville, Pennsylvania, to appear before the committee to-morrow, at eleven o'clock, A. M.

Committee adjourned to meet at the Western Penitentiary at two o'clock this P. M.

And now, to wit, Thursday afternoon, February 22, 1883, committee met at the Western Penitentiary, at two o'clock, P. M., and examined the buildings and workshops, and inquired as to the management, &c., &c., and adjourned until eleven o'clock, A. M., Friday, February 23, 1883.

And now, to wit, February 23, A. D. 1883, at 11 o'clock, A. M., committee met pursuant to last adjournment.

Present: Honorable J. J. McCrum, chairman of the committee, Senators McNeil, and Hart, Representatives Graham and Walker.

C. F. McKenna and James H. Reed, Esqs., appearing for the respondents of this investigation; and witnesses.

Here Chairman McCrum administered the following oath to W. A. Schmidt, stenographer:

"You do swear by Almighty God, the searcher of all hearts, that you will discharge the duties of your appointment as stenographer before this committee with fidelity; that you will, to the best of your skill and ability, take the testimony given before this committee, and that you will make a correct, verbatim, and legible report of the same to the committee, and that as you shall answer to God at the great day."

After which the taking of testimony proceeded.

A. P. HOPKINS, a witness called by the committee, who being duly sworn, testified as follows:

Examination by Senator Hart:

Q. Where do you reside?

A. Rochester, Beaver county.

Q. How long have you resided there?

A. Since last June.

Q. Where did you formerly reside?

A. Washington, in this State.

Q. How old are you?

A. Fifty-five, past.

Q. State whether you was ever an inmate of Dixmont.

A. Yes, sir; I was.

Q. When was you there?

A. I was taken about the 28th of February last, a year ago.

Q. Were you there as a pay patient or were you sent there by the authorities?

A. I was put there by the county, the proper parties.

Q. How long did you remain there?

A. From the 8th of February until between the 28th or 29th of June, this year.

Q. Of 1882?

A. Yes, sir.

Q. Who was in charge of the institution—who superintended it at the time you was there?

A. Well, I understood that Dr. Reed was superintendent there; there was a gentleman named Colwell that the inmates understood was superintendent of the ward, or something.

Q. What led to your commitment to the hospital; what was the reason?

A. Well, it was over work; taking care of the patients that had small-pox at Little Washington. I was the only one there that took an interest in them enough to go and take care of them. I took care of some sixteen cases there I think; I had to bury them, too; one I buried myself—took him down out of the second story and wheeled him into the grave-yard on a wheel-barrow and buried him; a man held a candle for me, and I was, I think, nine days and nights that I never slept any; I could not sleep for the care that was on my mind, and I was overtaxed; that is what I think done it.

By Senator McNeill:

Q. Was that the small-pox hospital that you were attending to?

A. No, sir; it was these patients that were around there,—eleven in one family,—that I took to the pest-house, near Little Washington; sixteen in all I took charge of—took care of them at the pest-house, or took care of them in their house until they died, and then buried them.

By Senator Hart:

Just go on and state to the committee, fully, the course of treatment you received whilst an inmate of that institution.

A. I think about the second night I was put into Dixmont there were two men came into the room with what they call a strait-jacket—a mad jacket; and says I to the man, “I don’t want that on me, there is no cause for putting that on me.” “We know what is best, says one of them, and they threw one of the sleeves around my neck and the men pulled at each end until I was choked down, put it on, and I knew nothing at all; it was on when I came to. They were lacing it up on the back.

By Major Walker:

Q. What was this they put on you?

A. A strait-jacket.

Q. Let the committee know what a strait-jacket is.

A. Well, as near as I can guess,—I never measured one,—the sleeves would be about eight feet long, and they tapered from what would be a comfortable size down to a point like that, (describing.) They put it on

and laced it in the back about here, (indicating.) I think it laces up in the back, and then the sleeves are thrown around like that, and tied in a hard knot. The men pulling it tight under, and tied a big knot right in the small of the back, and I would say it was that large (indicating) at least; then, out of the surplus of the sleeve, his left is drawn around front, here, (indicating), and then you are drawn back in that shape, just as tight as two men can draw it.

Q. Does it admit of any bodily harm; did it injure you physically?

A. Not at that time; no, I don't think it did—not at that time. Well, in that evening after they had all retired and things were quiet, I gathered myself up and I got the sleeves of it something like that, and I burst it in the back, and the second effort I burst it clear down and took it clear off, and I laid and slept some that night. The next night they put another one on me and I tore it up just in the same way.

Q. Did they put the second one on as they did the first?

A. No, sir, they didn't choke me down, I gave way in their hands then; they didn't choke me down.

Q. Did you know who put it on you?

A. Yes, sir.

Q. Just state who it was.

A. I have got their names. A young fellow took a notion—took a notion and made me a present of a little book, in the book I got some papers and put a few leaves in it and put their names on. William Liggett is his name, I believe it is.

By Mr. Reed :

Q. That is, Liggett gave you the book?

A. No, sir, one of the two persons who choked me down—William Liggett.

By Major Walker :

Q. Was any of the officials there and ordered this to be done at the time?

A. Not that I know of; none of the doctors beyond the superintendent or one of the assistants—that was the authority.

Q. Did this attendant assist in putting this strait-jacket on?

A. Yes, sir.

Q. And maltreat you in this way?

A. Yes, sir; it was the attendant that done it.

Q. How many were there that put this strait-jacket on you?

A. Two the first time.

Q. What is the name of the other person besides William Liggett?

Q. Well, I have his name—Joseph Hamilton.

Q. It only required two persons, then, to maltreat you in the way in which you describe?

A. Yes, sir.

Q. Those two done it?

A. Yes, sir; they done it.

Q. Just in connection with this I wish to ask you this other question—I want your own version of it, of course. Do you think you were sane at the time this was done?

A. No, sir.

Q. You were insane?

A. I think I was insane.

Q. How, if you were insane at the time of the perpetration of this maltreatment, would you be able to remember so distinctly about it?

A. Yes, sir.

Q. How do you think you would if you were insane at the time?

A. Well, how, I could not answer that.

Q. But you do recollect it?

A. Oh, I know I recollect it as distinct as ever I did.

Q. What was the character of your insanity—did it effect your head so that you didn't know what was going on, or in what way?

A. Well, I felt peculiar. I felt as if I was charged with electricity that annoyed me more than anything else. I suppose it was nervousness.

Q. That would be physical, would it not?

A. Well, yes; you might say it was. Then I imagined some things—first, it wasn't against any person at all that I know—things that were not incurred——

Q. But you have distinct recollection of the maltreatment you received, also remember the inmates and attendants who maltreated you?

A. Yes, sir.

By Senator Hart:

Q. Go on with your statement—you have reached the second year you were there?

A. Well, I was released. I don't mind particularly what occurred—nothing very special from that on for a good while, two or three weeks, or months. I think I was writing home some letters. Some got home and some didn't. I would give them letters, and they didn't get any, and one day, while sitting at the table, I had been ready to go out and amuse myself outside with others that were there. One day, sitting at the table, there was an old gentleman there who would take spasms or fits. I paid a great deal of attention to him, and when I was about to see him fall, I would run and catch him, and lay him down easy. I had been there so long that I wanted to amuse myself, and rather than have nothing, I managed to get up something myself, and I just thought it would be a good trick on the attendants for me to take a spasm and see how it would work. So I placed the knife in the fork when I was done eating, stiffened out a little bit, and some others picked me up and carried me out of the room. I was just as conscious of what I was, and what I was doing, as I am now. The first thing that I recollect distinctly of taking place after that was some very strong medicine was given me, the strongest I had taken while I was there. It was fearful. After I took the medicine there for awhile I was very wild. I cannot remember it.

By Major Walker:

Q. You spoke about being unconscious. You say the first thing you remember was taking some medicine. Had you been unconscious?

A. No, sir, I hadn't been. After the medicine was gave to me I know that I became wild. After that, in the evening, there was five attendants came in with a jacket. I protested against having it put on, and one of the men run up to me by the name of Ginneth——

Q. What is his name?

A. John Ginneth.

By Senator Hart:

Q. Was he an attendant?

A. Yes, sir; he was one of the attendants in the ward. I was taken from the ward I was in and put into another; from the ward I was first in.

Q. What was the number of that?

A. I believe I was in No. 8 the first time, and then in No. 6 is where I tried to play the trick on the attendants; and then was taken back to No. 8, the same room I occupied in the first place. When these five men came in I told them I didn't want it on me again.

Q. Who were those five men?

A. Well, the two I first spoke of.

Q. That is, Liggett and Hamilton?

A. Yes, sir; and Robert Parks and John Ginneth, and I forget the other man's name; he was in the same ward with Ginneth and Hamilton.

By Major Walker:

Q. They were all attendants, were they?

A. Yes, sir; all attendants. Well, I resisted and struck at Ginneth. I didn't hit him hard; the lick was spent before it struck him. Then they ran in on me and choked me down, and all that I heard said was there was one choking at me. I resisted his choking by drawing my neck down that way, (describing,) and they could not shut my wind off, and one of them said, "I can do that."

By Major Walker:

Q. Who was that?

A. I was on the broad of my back, and one of the men standing behind me this way, (describing,) said he. (attempting to describe,) I cannot show you. First one said he could not do that, and the other one said he could do that, and came and took his place.

By Mr. Graham:

Q. Who was that?

A. I don't know; I think it was Hamilton that said he could shut my wind off.

By Senator Hart;

Q. Did he ask the other man to be relieved and to take his place?

A. No, sir; he said he could do that; he just let go and came up and took his place.

By Major Walker:

Q. Who was the other man?

A. I could not see who it was, I think it was Liggett; I could not see who it was, being on my back. They got me and choked me, but didn't cut my wind because I resisted so. I was conscious; some of them, I don't know which of them done it, I think there was two of them done it, and they jumped off with their feet and lit on my ribs, and they broke one of my ribs on the right side and one on the left nearly opposite, broke it from the backbone and then they put on the strait-jacket.

By Mr. McKenna:

In relation to this violence done to the witness and in regard to broken ribs we should like to have a medical examination.

By the witness:

I can bring men who examined it before the soreness left.

By Major Walker:

Q. You say you had a rib broken on each side?

A. Yes, sir.

Q. How did you know that?

A. I could feel them there.

Q. Had you any examination made by a physician?

A. Not while I was in the asylum.

Q. Had you at any time afterwards?

A. Yes, sir.

Q. Who was it?

A. Dr. McKenna of Little Washington, and Dr. —, I forget his name, at Bridgewater, examined me while I was there.

Q. After you left the hospital?

A. Yes, sir; I was curious whether there was any marks left, and with-

out my showing, Dr. McKenna and this doctor at Bridgewater found where the ribs were broken on the right side, where the lump was yet.

By Mr. Graham :

Q. Was there any testimony taken in regard to this ?

A. No, sir.

Q. Were you examined before in regard to this abuse ?

A. No, sir ; only by the physieian.

Q. I mean before any tribunal or committee ?

A. No, sir ; this is the first time.

Q. The first time you have been a witness ?

A. Yes, sir.

By Major Walker :

Q. They Mr. Hopkins, that your ribs were broken ?

A. Yes, sir ; that is, this one ; they could not find it in my baek——

Q. You imagined it was broken ?

A. I could feel it, feel it ereaking, and set it myself.

By Senator McNeill :

Q. You have had bones broken before that ?

A. Yes, sir ; I had this leg broken six years ago, and set it myself.

Q. You say that you had imagined things in your mind which were incorrect, when you first went to the hospital ?

A. Yes, sir.

Q. Might not these eircumstances and this usage, in the first place, have been incorrect, too ?

A. No, sir.

By Mr. Graham :

Q. Did you make any complaints to the physieians at Dixmont in reference to the injuries you received ?

A. No, sir ; I never did.

Q. They didn't know anything about that ?

A. I don't know that.

Q. You say, after you had feigned to take a spasm, that you were given wonderfully strong medicine ?

A. Yes, sir.

Q. And that after that, you became very much excited and very boisterous ?

A. Yes, sir.

Q. Did you attribute it to the medicine ?

A. I did.

Q. Your excitement, you think, was attributable to the strong medicine ?

A. Yes, sir.

By Major Walker :

Q. Did you know what medicine they gave you ?

A. I don't know positive all the ingredients, but there was at one time medicine gave to me that there was whisky in it, which had a good deal of fusil oil or essential oil. The reason I know this, I have been educated as a distiller and aleohol maker, and so on.

Q. Who gave you this medicine ?

A. I think there was a man by the name of Ginneth ; he earried it in boxes.

Q. It wasn't one of the physieians ?

A. No, sir ; not any of the physieians gave me any medicine.

By Senator McNeill :

Q. Had the physician been there to see you before that ?

A. Well, sir, not what I would eall a call from a physieian.

Q. You don't know who ordered this medicine?

A. Well, there is a young man, Mr. Wiley, I forget his first name, he waited on me for a while, he sent it —

By Major Walker:

Q. Do you know how many physicians they have?

A. Three is all I know of.

Q. Was it their custom to call around each day and visit the patients?

A. I think so—not to visit the patients—but they walked through there.

Q. Every day?

A. Every day, I think.

By Senator McNeill:

Q. You had an opportunity at all times to consult these physicians?

A. It was understood we hadn't the right to speak to one of the physicians—that was the understanding I had from the attendants; I didn't much of the time; I ventured to talk to Mr. Wiley.

Q. Have you any complaints of any kind to make against the physicians of Dixmont?

A. Well, I don't know that I have particularly; yet there was things done there that was very distasteful to me, but I have a very warm feeling for Mr. Wiley.

Q. We are not going to cover up any of Mr. Wiley's misdeeds at all; tell us what he done.

A. Well, he would come into the room with a kind of a sneer as though we have got you here now, that is all he done.

Q. Did he ever prescribe for you?

A. He did once for a sick headache; he and I made an agreement before that he would never give me any medicine, and he never did, and I will never forget it.

Q. He is a pretty good fellow?

A. Yes, sir; a pretty good fellow, so far as that goes; I didn't taste the medicine.

Q. It was Dr. Wiley that gave you the whisky?

A. No, sir, it wasn't; there was at one time while I was there Dr. Wiley came in and I said, says I, "Doctor, I would like to make a request," and he says, "What is that? I will do anything I can for you;" says I, "Don't give me any more medicine until I call for it," and he said he would not, "unless you are very bad." He never did give me any more and that is one kindness he done.

By Senator Hart:

Q. How long before you were discharged from this institution was this injury that you refer to inflicted upon you?

A. Well, I could not tell exactly, and I could not say just how long I was kept down at that time after they abused me; I could not say as to that; my judgment is that it was about a week or ten days, along there some place, that I was kept tied down.

Q. Well, let us understand; that was after, as you allege, they had broken your ribs?

A. Yes, sir.

Q. They tied you down?

A. Yes, sir.

Q. Go on and describe how they tied and where they tied you.

A. Well, after they put the strait-jacket on me they laid me down on a low bed and tied my feet to each of the foot posts and then to the strings or ropes, while they put ticking or something of that kind around my arms and tied me to the upper posts so that I was stretched about tight, and if

I would get down a little too far I was powerless to raise myself up a foot. It stopped the circulation of my arms; I don't think that a nest of hornets stinging would be any worse than I was there one night.

Q. Did it stop the circulation in your arms?

A. Stop the circulation? I could not see my arms.

Q. How long did they keep you?

A. I remember only one night I was kept so tight, but I was kept there a week or ten days.

Q. Tied down to the bed?

A. Yes, sir; with my hands on the bed.

Q. Tied down to each corner of the bed for a period of ten days?

A. I wasn't tied down—wasn't in bed more than for two or three days.

Q. For two or three days?

A. Yes, sir; tied down to the bed.

By Major Walker:

Q. You were released every once in a while?

A. Yes, sir; but not from the strait-jacket.

Q. Did they keep you down to the bed for a period of two or three days without releasing you?

A. Well, they would let my arms free to get up and get something to eat.

Q. Well, hadn't you occasion to answer the calls of nature?

A. Well, if I did, I had to do it like the children do; do it in bed. They gave me oil while I was tied down in that condition in bed.

Q. Did it operate?

A. Yes, sir.

Q. Didn't they endeavor to change your clothing in two or three days?

A. After that occurred they took me in the bath-room. That was once, I believe, the jacket was off; they put it on afterwards.

By Senator Hart:

Q. You cannot distinctly fix in your mind how long prior to your release this injury was inflicted upon you. Can you approximate it?

A. Well, it was in the neighborhood of three months.

Q. In the neighborhood of three months?

A. Yes, sir.

Q. How long did the soreness of your back and left side continue after this injury was inflicted?

A. Well, I felt it sore to take a big breath after I got home. If I filled my lungs up full I could feel the soreness.

Q. On your left side and back?

A. It was on my left side and back more than it was on my right. The right rib hurt me first; I could feel distinctly to press it with my finger. I could feel it when I would breathe with the jacket; I could feel it working.

Q. Could you feel distinctly the fracture of the ribs on the other side?

A. I could on the back and on the right side; not so sensitive on the left side. On the left side it was nearly to the point of the rib.

Q. What occurred to you after you were released from this strait-jacket after the infliction of this injury?

A. Well, I am rather inclined to think I was a favorite in the institution with a good many of them after this thing. After they abused me as they did, and I didn't return no resistance, and had no malice against them in no way, they seemed to favor me. I am satisfied Mr. Colwell did, and I believe Mr. Wiley did, too.

By Mr. Graham :

Q. Was this strait-jacket put upon you as a punishment, or merely to restrain you from violence to yourself and others?

A. Well, I could not answer that question.

Q. Had you been violent?

A. No, sir; wasn't from the first.

By Senator McNeill :

Q. You stated that you was violent after you got that whisky medicine.

A. Not to any person; not inclined to hurt any person.

By Major Walker :

Q. Had you ever had any attack similar to this at any time in your life?

A. Yes, sir.

Q. This is not the first time you had——

A. No, sir.

Q. How long ago was the other?

A. I think twenty-one years ago.

Q. Did you ever have it any other time?

A. No, sir.

Q. What was the character of that insanity twenty-one years ago?

A. Similar to this.

Q. What produced it?

A. Well, I had been studying very hard to get out a patent to make a fence for a sheep-fold, to protect sheep from dogs and from jumping the fence; and I had lost sleep at that time about the same way that I had this time, or nearly so; not so much.

Q. Well, it was from insomnia and want of sleep that produced insanity?

A. Yes, sir; then.

Q. That was the reason of it?

A. That was the reason of it.

Q. What effort was made to take care of you at that time?

A. Well, they took me to the Western Pennsylvania Hospital, under this same Doctor Reed.

Q. The Western Pennsylvania Hospital?

A. That is up here on Penn street.

Q. Of which Doctor Reed was at that time the superintendent?

A. Yes, sir.

Q. Was there any maltreatment of any kind to you at that time?

A. Yes, sir; equally as bad as the last.

Q. Dr. Reed was in charge of this hospital?

A. Yes, sir.

Q. If you were maltreated or abused in any way twenty-one years ago, state now to the committee the character of the abuse that you received there—in the first place, were you there as a private patient or otherwise, at that time?

A. Private at that time.

Q. Paid your own expenses?

A. Yes, sir.

Q. Now go on, and in your own way, state how you were misused at that time.

A. Well, at one time I was placed in the room and the door locked, and no muffs or anything of that kind put on me. I was very anxious to get out, and the room is lined, as near as I can tell you, about eight inches higher than that board, (pointing,) and above is a string of wire, such as bucket wire—something of that kind.

Q. What is that there for?

A. To protect the windows of anything striking them; it is all over the windows, sealed tight, about eight inches higher than that board, (pointing,) and I was anxious to get out, and I took a run in that room and jumped and caught hold of these wires, and commenced jumping against the window frame and eracking my heels against the furniture, and I was about ready to come out when they came in.

Q. What was you in there for?

A. I was in there; a patient and I had some little words and I made free to hit him.

Q. That is what you were in there for? I will inform you that you are perfectly protected in any answer that you may make to this committee, and you have nothing to fear either from Dr. Reed, Dr. Wiley, or any person else. You are perfectly protected in any testimony which you may give.

A. If he is satisfied that he is protected, why, I am. I would bring suit against the institution when this is over.

Q. They had put you in there because you had a difficulty with another patient?

A. Yes, sir.

Q. Now go on with your story.

A. There was three men came in, and one was a very determined kind of a fellow, and I, to keep them from jumping at me, I elung on to the wires; he could not get me, and then I——

Q. One man in the room with you?

A. No; these three attendants. I hung there as long as I could, and when I found I couldn't stand it any longer, one of them undertook to jump and catch me by the legs, and I kicked him right hard and he fell. I was watching him pretty close, when another one jumped and got hold of me and pulled me down; there was two attendants at that time, and they didn't choke me at that time, but they put a pair of leather mufflers on my hands, and one of them came in and kicked me in the back three times, that is as hard as I could put it. Well, the sheet was bloody for a day or two after they kicked me in the back, and there was blood on the sheet.

Q. Who were they?

A. I have forgotten their names.

Q. Do they belong to the institution now?

A. No, sir.

Q. Were they attendants?

A. Yes, sir; one of them was called from the ward I was in. First the two of them came in one day and I was sitting down with these mufflers, and each one of them laid a hand on my head on each side like that, (describing,) and they struck at me about that way, and they struck four or five times until I fell prostrate.

By Senator Hart:

Q. With what?

A. With their fists, I think; I could not say.

By Major Walker:

Q. And knocked you down?

A. Why, I was sitting down and I laid down. They held me up until they were done striking and then I fell back in a sitting posture.

Q. Then what?

A. I think it was the next day, two attendants belonging to the ward came in. I said something that I thought it was pretty rough on us, something of that kind; and they told me it was as good as I deserved, and one

of them pushed me down and I sat up again, then again one of them pushed me down and jumped right into my breast that way, just as hard as they could, and I spit blood for three or four days from the abuse I got that time. Then I don't remember what he done; Thomas was the man's name that jumped into my breast, and it just seemed as if he mashed me in.

Q. Did you never make known this state of affairs to any one?

A. I did to Dr. Reed at that time. He said that he did not allow the people to be abused here. That is what he said. I had very little confidence in him.

Q. Did he say he would make an examination into it?

A. No, sir.

Q. Did he ever make an examination that you know of?

A. No, sir. I saw another man that was abused and wrote to his wife. Dr. Reed wrote at that time that I laid in complaints to her husband for abuse. She was there to see about it.

Q. Were any of those physicians that are now at Dixmont at that institution?

A. No, sir.

Q. Was Dr. Wiley?

A. No, sir.

Q. Nobody but Dr. Reed?

A. Nobody but Dr. Reed.

Q. You gave him notice of this?

A. I told you he said he did not allow patients to be abused. He declined to talk to me, and walked away.

By Major Walker:

Q. This occurred in this room, did it?

A. Yes, sir.

Q. How long did they keep you in that room after this abuse?

A. Not more than a day or two.

Q. Was that in your regular room where you were quartered?

A. No, sir. It was not.

Q. What kind of treatment did you receive during the two or three days after that maltreatment?

A. Well, pretty good.

Q. They furnished your meals?

A. Yes, sir.

Q. For two or three days they transferred you to——

A. To the room where I was in the first place again.

Q. This was twenty-one years ago, was it?

A. Yes, sir.

Q. After that did you receive any other maltreatment?

A. No, sir.

By Mr. McKenna:

Q. I just wish to know if he made known to Dr. Reed that he had received this maltreatment?

A. No; I never did.

By Senator Hart:

Q. How long was you confined in the hospital at that time?

A. Seven weeks.

Q. I understand you to say that you knew the person by name whom you said jumped upon your breast?

A. I do, and I think I have it some place, but I have forgotten his name. Thomas was his first name.

Q. You say you remained there about three months after this injury was inflicted upon you?

A. No, sir; about seven weeks only, I was there at that time.

Q. No, no; I mean at Dixmont.

A. I was there about three months.

By Major Walker:

Q. I understand that it was twenty-one years ago.

A. I do; I just understood it now.

By Senator Hart:

Q. As I understand it, you know the person, but don't remember his name that jumped on your breast?

A. It was around twenty-one years ago.

Q. Did you say you remained there three months after that injury was inflicted upon you?

A. Yes, sir; I think something like that.

Q. Did those attendants remain at the institution until you left there—all of them?

A. All of them.

Q. How came you to be discharged from the institution?

A. Well, I think it was by the efforts made by my family and by my relations that I was discharged.

Q. Did you write any letters from the institution while you were there?

A. Yes, sir.

Q. To your friends?

A. Yes, sir.

Q. Did those letters reach their destination?

A. Not all of them.

Q. How did you mail them?

A. I gave them to one of the attendants—always to the attendants, I believe. I don't recollect of ever giving to anybody else but to one of the attendants.

Q. How many of the letters that you wrote, while you was there, did not reach the person to whom you addressed them?

A. I could not say exactly. I would say half a dozen did not reach their destination at all.

Q. What reason have you for believing that they did not reach their destination?

A. Well, I have inquired.

Q. Of the persons to whom they were addressed?

A. The person I wrote them to.

Q. Have you a wife and family?

A. Yes, sir.

Q. Were any of those letters addressed to your wife?

A. I think I wrote but one to my wife while I was there.

Q. Did she receive that?

A. I do not think she did.

Q. You was going on to tell how you came to be discharged from the institution?

A. Well, I said it was by the efforts that was made by my family, my son in particular, and my brother-in-law wrote Dr. Reed, and Dr. Reed wrote back—well, he told me it was wrote. He said he wrote back a very saucy letter. I never saw it. He told me when I wanted to see it he would show it to me.

Q. State whether you saw any cases, while you were there, in which

the manager or attendants of that institution maltreated any other insane inmate?

A. Well, I saw two men there one day. One of them had laid a Testament under his pillow, and the other one undertook to take it, and he had got it, and laid down on one of the settees, and the one that had laid it under his pillow kicked him and took it, caught hold of his feet and pulled him around and got the Testament; and the other one struck at him, and the one that had lost the Testament hit him and stunned him, and he dropped, and then three men came in, who took hold of one of these men. I do not recollect his name. He don't belong to the ward that we were in, but took him by the neck and choked him down.

By Mr. McKenna:

Q. What ward was that in?

A. No. 8.

By Mr. Graham:

Q. Were those three men employés of the institution?

A. Yes, sir; now I am not—I am not right positive about the wards of that institution; the last one I was in was No. 5, and I think I was in No. 6 once and No. 8, that is, if I am correct in the number of the wards, but of that I am not positive about No. 8.

By Major Walker:

Q. A different ward from this, was it?

A. No; it was one that I was in at the time that this occurrence took place that I am speaking of.

Q. You don't remember distinctly the number of the ward?

A. No, I think it was No. 8.

By Senator McNeill:

Q. When these attendants came, were these men still scuffling and fighting?

A. Well, no, they were not.

Q. The attendant struck to prevent further violence?

A. I don't know whether it was or not.

By Major Walker:

Q. What was this man's name that was injured?

A. I could not give you his name. One of the inmates run up to him and caught him by the throat.

Q. It was not Miller?

A. I don't know what was his name.

Q. Do you know where he was from?

A. He was from the penitentiary, I understood from them. Well, there were three of the attendants and one of the inmates assisted them. I cannot give his name; at any rate, he ran in and assisted, and after he got him down, he was the one that fell on the man, and after he fell on the floor he said, "Men, don't abuse this man." They made him go out of their road, and this man Liggett took a strap; (describing it;) it was a strap filled of leather muffle.

By Major Walker:

Q. Four feet long?

A. Well, yes; he took that strap and put it around that man's neck and pushed the buckle to make it hold tight, right over him until he fell down and I thought he was dead. I stood and looked on, and then this man Liggett jumped right on his bowels with his knees, and then he was gathered up and taken to his room, and in less than two months afterward he was taken to the bath-room with the dung running on his ankles. I heard the noise when he jumped on him with his knees.

By Senator Hart :

Q. Liggett was one of the attendants of this ward. Did you know a man that was incarcerated in Dixmont by the name of Miller?

A. Miller? Yes, sir.

Q. Suppose you state to the committee what you know about Miller, and where he is from.

A. He is from Claysville, Washington county, Pennsylvania.

Q. Do you know what he was sent there for?

A. Yes, sir; he was sent there for stealing a horse—well, not for that, either; he was supposed to be insane after he had stolen the horse.

Q. Was he transferred there from the penitentiary?

A. No, sir; I think he was adjudged to be insane.

By Senator Hart :

Q. Acquitted on account of insanity?

A. Yes, sir.

By Major Walker :

Q. Sent there by order of the court?

A. Yes, sir.

Q. State what you know about him, Mr. Hopkins.

A. Well, I have a letter from him, under oath, to the major, and it is this, that he was the man tied down in bed so that he could not move a hand or foot, and treated so bad that he died two hours afterward.

Q. He makes an affidavit to that?

A. Yes, sir; I have got them in my pocket.

Q. Go ahead.

A. I asked this man Miller if he had been abused. He said he had. Says I, "Did you receive any injuries?" He said to me he was badly injured; that he was ruptured. Says I, "I would like to see where you are ruptured," and he showed me, I think, the one side. It was caused by the same kind of treatment—jumping with the knee into the bowels.

Q. When did this occur, as near as you can recollect?

A. As near as I can recoilect, I think he told me in August.

Q. What year?

A. That is. two.

Q. 1882?

A. Yes, sir.

Q. And it was between that and February that this thing was done?

A. Yes, sir; in August, 1882, when he was sent to Dixmont, Doctor Reed was superintendent at that time. He was put there in 1881.

Q. Well, in 1881 was Doctor Reed superintendent?

A. Yes, sir.

Q. Was Doctor Wiley one of the attending physicians at that time?

A. I could not say he was there when I was there.

By Senator McCrum :

Q. Doctor Wiley was there during your second incarceration?

A. Yes, sir.

By Senator McCrum :

Q. Of your own knowledge, can you state any case of ill-treatment to the committee—anything that you saw personally, other than you have stated?

A. Yes, sir. I saw a man there—I cannot give his name; I don't think I ever heard it; I think he was a Swede—who had a jacket on all the time I was there—not such a one as was put on me, only that was more comfortable. I saw him lying down on a settee one day, and he was ordered

by one of the attendants to get up. He said something; I did not understand what he said; I could not understand. I know he did not get up, and the attendant kicked him right in the mouth as severe as could be, and then he was taken into the room, and one of the attendants I saw kicked him in the ribs.

Q. What became of this man?

A. I understand that they were making arrangements to send him back home, and I think he was sent up to the county home; I understood, at least, he was there.

By Senator Hart:

Q. Was the man quite insane?

A. Yes, sir; most of the time he was, I think.

By Senator McCrum:

Q. Do you know the name of the attendant that kicked him in the mouth?

A. Yes, sir.

Q. What was it?

A. Liggett—no, no; the one that kicked him in the mouth is one of the five that took charge of him in the room.

Q. Can you give us his name?

A. I don't think I can.

By Major Walker:

Q. Don't you think that he was a Swiss instead of a Swede?

A. Well, I won't be positive as to that.

Q. Could he talk any English?

A. No, sir; not that I could understand him. In speaking of the wards, I am not certain that this one that I call No. 8 was not No. 10.

By Major Walker:

Q. You have got yourself right on the record. You state you do not remember the number of wards?

A. I do not remember the numbers. It is something I could not mind.

Q. Let me ask you a question in regard to what Senator Hart interrogated you some time ago, in regard to mail matters. Did you have all the facilities you desired when you wanted them—pen, and paper, and ink?

A. No, sir; we got sometimes two or three days after I asked for it, and would jog them on.

Q. They would eventually furnish all the paper you wanted?

A. Yes, sir.

Q. Do you know anything about the facilities of mailing? Have they a post-office?

A. I think they have.

Q. Your plan was to give it to the attendants, and they would mail it?

A. Yes, sir.

Q. Were you required by the rules of the institution to stamp your letters?

A. No, sir.

Q. Suppose there was no stamp on the letter, would it be mailed for you?

A. Well, it was the expectation of the person who gave them that they stamped them and sent them. I never stamped any that was sent.

Q. Never stamped any at all?

A. Yes, sir.

Q. Some of them were sent without your stamping?

A. Yes, sir.

By Senator McCrum :

Q. What kind of food was furnished while you were in the hospital?

A. Well, it was very unsavory, as a general rule.

Q. Was you furnished with a sufficient amount, such as it was?

A. No, not always. Oftentimes there was not a bite of anything left on the table.

Q. You would eat at the common table, or patients'?

A. Yes, sir. Well, I want to just say that the attendants would always have a surplus left, but the other patients did not get it. The attendants would have butter at nearly all the meals, or quite all.

Q. The patients did not have butter?

A. They did not. Well, they would have, sometimes, and sometimes they wouldn't.

By Major Walker :

Q. What was the character of the food you got?

A. Well, pretty generally had some kind of fried meat for breakfast; tomatoes, potatoes, mutton, and beef at dinner.

Q. Did you have coffee or tea for breakfast?

A. Well, we had coffee for breakfast, water for dinner, and tea for supper.

Q. What did they give you for your dinner?

A. It was generally a boiled dinner; tomatoes, and sometimes stewed bread.

Q. Did they give you any roast meat?

A. No; not roast meat, but boiled meat.

Q. What did they give you for your supper?

A. Well, bread and 'lasses, tea and cheese.

Q. That is about all?

A. Yes, sir.

By Mr. Graham :

Q. Did you not get vegetables for dinner—sauerkraut, cabbage, turnips, potatoes, &c?

A. I do not recollect of getting anything but tomatoes in the vegetable line.

By Major Walker :

Q. No potatoes?

A. We got potatoes, I think, three or four times, boiled with the skins on.

Q. Three or four times a week?

A. Well, no; I don't recollect no more; I don't pay particular attention sometimes. You would have two small potatoes laid down at our place and sometimes in the spring have a couple of boiled eggs, but a very few times, very few times, we had eggs at any time in the season.

By Senator McCrum :

Q. You spoke in reference to the preparations that are made to receive visitors. I wish you would go into that.

A. Well, go into the dining-room and you see a table set; it is grand enough for any man to sit down there, with silverware covered all over it, and when the meal is sent up, everything is removed from the table, all the silverware and everything, and a table cloth, a cheap table cloth of cheap material put on, and a man's mess is set on, a man durst never reach for outside of the bread; nothing more or less. There is none of this grand show that you see given to the company at all.

By Major Walker :

Q. Do I understand they furnish you with just so much and no more?

A. Just so much. You can't reach for anything except this bread or

coffee. The coffee always runs out. I don't think there was any time the coffee did not run out or tea, either, yet sometimes tea did not run out, I believe.

Q. How much coffee did they give you?

A. I never got two cups.

Q. In this general dining-room where you all sat down to your meals, did the insane sit all there together?

A. All that is in the ward. Well, there may be some few locked up in the room and some sick that cannot go to meals, and the meals are carried to them. I think there was six or seven in one ward where the meals were carried to them.

Q. The sound and insane all sat together at the table?

A. Yes, sir.

Q. Did the insane have attendants to take charge of them?

A. There was none so mad they could not take care and sit at the table at their right seat.

Q. They knew enough to eat their meal properly?

A. Yes, sir.

By Senator Hart:

Q. Do you know of any other instance of ill-treatment of patients other than what you have detailed, that fell under your observation?

A. No, sir; I do not; yet I saw some things done there that I would not like to be done to me. For instance, an old gentleman that I spoke of that took fits was taken in a bath-room. They allowed him to dictate as to whether he wanted water warm or cold; and, then, one of the attendants, to hear him swear, would get a bucket of cold water and dash it over him while he was in the warm water. I do not know whether it was prescribed by the doctor or not.

By Major Walker:

Q. Did you know a patient while you were there named Dr. Stevens?

A. I do not know whether I did or not. Rather think I do remember him. I have a very poor remembrance of names.

Q. You are not positive whether you knew him or not?

A. I am not positive.

By Senator Hart:

Q. How long did you remain in the institution after your mental condition was properly restored?

A. I could not say exactly. I was there six weeks.

Q. Six weeks?

A. Yes, sir.

By Senator Hart:

Q. Did you leave the institution after you had entirely recovered?

A. I did. You spoke of the medicine. Perhaps I understood it that way.

Q. How long were you insane while you were in the hospital?

A. Well, taking into consideration the time I was abused there taking that strong medicine I would say it was two and a half months before I got out.

By Senator McCrum:

Q. You said this morning that you lost flesh very rapidly?

A. Yes; I scarcely knew myself that I was really myself. After this time down when I was let go free I looked at myself in the glass and my jaws were still swelled as though I had the mumps after my choking. I am satisfied it was two weeks after that. I lost flesh very fast after I was

By Major Walker :

Q. Have you been perfectly rational and sane since you left the institution ?

A. Yes, sir.

Q. As well as you are to-day ?

A. Yes, sir. Leaving me to be the judge, I was, sir.

By Mr. Graham :

Q. The last time were you sent by your family ?

A. No, sir.

Q. How was you sent the last time ?

A. The authorities of Washington county sent me, I suppose. I don't know who made the complaint.

By Senator McNeill :

Q. Whom did you say made the complaint ?

A. I don't know who made the complaint. My family was opposed to it all the time. They knew I had such a dread of it.

Q. You said you personated taking a fit. What was your object ?

A. Amusement.

Q. Were you rational at that time, and knew what you were doing ?

A. I was. The real idea was to see whether there would be an examination made of me. There never was while I was there, only as the attendants would report.

Q. Had you made up your mind at that time to institute an investigation or to make complaint publicly ?

A. I had ; yes, sir. I did that just to see—no, no I cannot say that I did that for that purpose. I did not do it for that purpose. It was merely to do something. It was merely to see if there would be an examination made of me.

Q. You just wanted to prove their efficiency in that way ?

A. Yes, sir.

On motion of Mr. Graham, the committee adjourned until two o'clock, P.M.

And now, to wit, February 23, two o'clock, P. M., the committee met pursuant to adjournment. Present: Senators McCrum, McNeill, Hart, and Representatives Graham and Walker. J. H. Reed and C. F. McKenna, Esq., representing the respondents of the investigation, and George W. Guthrie, and witnesses.

A. P. HOPKINS resumes the stand. Examination-in-chief by Mr. McKenna :

Q. I want to ask you, Mr. Hopkins, what business you have been engaged in in your life-time ? What was your original trade ?

A. I was raised a farmer.

Q. Whereabouts ?

A. In West Pine Run township, Washington county, Pennsylvania.

Q. How long did you follow the calling of a farmer ?

A. Until I was about twenty-two years of age.

Q. What business did you engage in then ?

A. Followed droving.

Q. How long ?

A. Well, from nine to fifteen years. I followed it nine years, and came from Ohio to Philadelphia through on the graded road.

Q. After you gave up the business of droving, what business did you engage in then?

A. I planted a vineyard.

Q. In Washington, I suppose.

A. Yes, sir.

Q. How long did you follow that calling?

A. I think about five years, something like that. I bore two very good crops.

Q. After you got through your vineyard, what was the character of business that you followed?

A. I followed the machine business.

Q. When you speak about machine, is it some machine you patented yourself?

A. Yes, sir.

Q. What kind of a machine?

A. It is a triangular machine—did you notice the picture?

Q. I understand all about it. But I want to know what the machine is for.

A. It is for moving the dirt from the side drains to the center.

Q. It is a road scraper?

A. Yes, a road scraper.

Q. Then it is to scrape off the high places, and to fill in the fills, and to make a road in the spring of the year?

A. Yes, sir.

Q. Is it patented?

A. Yes, sir.

Q. Is it your own patent?

A. Yes, sir.

Q. Did you make the application and file the caveat for the patent? And was it issued to yourself?

A. Yes, sir.

Q. It is your patent?

A. Yes, sir.

Q. Have you followed any other calling other than procuring and carrying out your patent?

A. In the fall of the year after the season would be over I would generally hunt up something. For instance, I bought a lot, or leased it, rather, in Little Washington for a coal-yard, and ran that, and then I dealt in horses. Always dealt in horses. That is one of the elements I liked to follow better than anything else.

Q. You are living now in Little Washington?

A. Yes, sir.

Q. Is your wife living with you?

A. My wife is. My daughter is in Pittsburgh, and my son traveling around.

Q. You are living at home—Rochester, Pennsylvania?

A. Yes, sir.

Cross-examination:

By Mr. McKenna:

Q. What is your age?

A. I was fifty-five years of age the 18th of last December.

Q. You always enjoyed pretty good health?

A. Yes, sir; very good.

Q. You have now, have you?

A. Yes, sir; I appear to have.

Q. How long were you at Dixmont, the three trips you had altogether? I mean in the insane institution; just give me the length of time.

A. A little over six months, altogether, both times.

Q. I mean twenty-one years ago; how long were you in then?

A. I was twice there.

Q. The two visits you were there only six months?

A. Well, a little over six months; between six and seven months—not seven months.

Q. Your son and others visited Dixmont?

A. Yes, sir.

Q. How often did they see you?

A. Well, my wife came once, and I am not able to say how often my son came; I think he was there, maybe, three times, with the time that he took me away. My daughter came once.

Q. How long did they remain each time in conversation with you?

A. Oh, well, I suppose my wife remained a half an hour at one time, my daughter probably a half an hour, and my son a quarter of an hour, about in the ward.

Q. Was it in the ward, or in the parlor?

A. In the ward this quarter of an hour with my son, the balance was in the parlor.

Q. Were they in your room, or in the ward?

A. No, sir.

Q. Just out in the corridor?

A. Yes, sir.

Q. Had you a chance to speak to them freely?

A. No, sir; I did not feel that I had.

Q. Why?

A. I felt that there were men listening, and I didn't wish them to hear what I might have to say confidentially; there was very little confidential talk which I had to my family; I feared there was some one listening.

Q. Who were those—attendants or patients?

A. No, sir, they were not patients; they were attendants or authorities.

Q. Do you mean to say that there was any restriction on your going to one corner of the wall and talking to your wife or family?

A. There was nothing said that would restrict us from doing it; but I felt a delicacy to do it, for fear some one would follow me, and would hear what I would say, so I was very cautious.

Q. You say you told them of these things?

A. Well, I told my son my ribs were broken, and told him in an undertone; I felt there were listeners.

Q. You whispered that to him?

A. No, sir; I told it when I was in the parlor, by ourselves. I told it in a low tone.

Q. Were you ever in the hospital part?

A. I don't know, sir; I seen some; there was some in, but I don't know whether there was any more in but once; I could not say.

Q. How long after you were there was it that this arrangement between you and Doctor Wylie was entered into that you should take no medicine?

A. Oh, I was there four months. I did not take medicine all the time I was there. I took it at first; then they kept it off me for awhile.

Q. I want to know how long you were there before the amicable arrangement between you and Doctor Wylie was entered into?

A. I said about four months. The reason I hang to this point so long I want to be fairly understood that I am not biased in any way.

Q. Up to that time had you been taking medicine?

A. Not all the time, as I was going to state to you; there was times I took medicine. The attendants said they considered my case incurable, just as a joke, and I accepted it at that, and they quit giving me medicine. Then I ran awhile without medicine. and when these occurrences took place they took me into another ward.

Q. When you took spasms?

A. Yes, sir. Now, there is one little thing; I don't feel like that this is exactly a lawsuit; this is a duty on me.

Q. That is recognized here; you are invited to make known all you know. Mr. Hopkins, when did you communicate to your family that your ribs were broken?

A. I never did it at all, only to my son privately.

Q. That was in the institution?

A. Yes, sir; in the institution. I never spoke to any of the attendants anything about it, but I am not sure but I did to one of the inmates.

Q. You never complained to Doctor Wylie that your ribs were broken?

A. No, sir; I don't think I did; I don't recollect of it.

Q. Doctor Reed?

A. I spoke once to the doctor a moment. I commenced to speak about the inhuman treatment of one of the men, but he says, he is a pretty good fellow. I was satisfied he was not going to take any part, and I let it go.

Q. That is the only talk you had about the inhumanity?

A. Yes, sir. I spoke to Mr. Caldwell once——

Q. You say Doctor Wylie went through the ward once a day?

A. Yes, sir; it was Doctor Wylie generally went through.

Q. Did he continue going through after you had your ribs broken?

A. Yes, sir.

Q. You are clear you never mentioned that to him?

A. I don't think I did.

Q. Did you ever write to him or Doctor Reed?

A. I have, I think, to Doctor Wylie.

Q. I mean charging that your ribs were broken?

A. I don't recollect anything of it.

Q. You say that Doctor McKenna, and that some other doctor at Bridgewater, examined you?

A. Yes, sir.

Q. What is the other doctor's name?

A. I can't get his name; he moved from about Frankfort Springs to Bridgewater; if I got his name I would know it.

Q. Did they examine you together?

A. No, sir.

Q. Separate?

A. Separate.

Q. How long after your discharge from Dixmont was that?

A. I think this man in Bridgewater examined me within a week after I was out, and Doctor McKenna examined me probably ten days or two weeks after I went to Washington; and I think he was one of the men advised that I be taken to Dixmont. There is one little thing that I want to say right here, and that is, I think that they wanted me away from Little Washington because I would be on the streets, and they feared that some one would take the small-pox from me.

Q. You think that was part of the scheme?

A. I think so; and it was the fear that caused them to put me there. I

think that would be more than half of it if you could divide it fairly; it would be fear.

Q. Was there any other doctor that took part in the certificate?

A. I could not tell, but I remember of Dr. McKenna coming to me and talking to me just in front of the house, and we had quite a talk, and since that I have manufactured up the idea that he was examining me for Dixmont.

Q. It was soon after that you were sent?

A. Well, I ain't sure; it was the same day they caught me that I was trying to get away.

Q. You were trying to get away from them?

A. Well, partly; I started to go to Bentleyville awhile. I went there for I thought I would just get a little space of repose and quiet, and my mother lived—

Q. These services that you rendered, to whom did you render them—to the borough of Washington?

A. No, sir, I didn't. I rendered them to anybody at all.

Q. Just tell us about it.

A. Well, it takes so large a scope.

Q. You touched it briefly in your examination-in-chief; go on.

A. Well, in the first place it was for the sympathy I had to humanity that I commenced, and after I had commenced, they seemed to think that I could take care of the patients pretty well, so then they employed me likewise. You take care of this one and we will see that you are well paid; and so on all the promises that could be made were made.

Q. By whom?

A. Well, sent by the burgess and the justice of the peace to do work; where we had to bury a man I took the man down two pair of stairs and put him in the coffin myself and on to a wheelbarrow, and wheeled him to the grave-yard and buried him, and I stand there until the next morning; it was along at twelve o'clock at night when I got him buried; there was two justices of the peace sent me word to take all the paper off the room where he died—to scrape it all off no matter what it cost and they would see me paid. Well, I tried to dampen it and took a case knife and scraped it to the point, and then I took a knife and scraped it off with a case knife. I scraped all that day and night. I wanted to get rid of it and wanted to get home; that was one of the jobs that was put on me. Well, I don't know; I was not employed by anybody, only dictated to by everybody.

Q. It was a public duty?

A. It was a public duty that everybody had to perform and done by me doing it.

Q. How long were you engaged at it?

A. Well, I could not say; I think about seven days altogether.

Q. Was there a hospital there in Little Washington?

A. No, sir; they built a kind of eight by ten pest-house, a frame arrangement away out up in a hollow in the woods away from the county home; I expected to take them to the county home, and then they were taken into this pest-house.

Q. How long were you engaged in that service?

A. Well, I could not say how long I was.

Q. Was it a week, or two or three?

A. No, I was not engaged over ten days, not that, about seven days at first; I failed after that—that is where the sleeping left me; I could not sleep at all, did not want to sleep.

Q. Did they pay you?

A. Well, I don't think they paid me ; they gave me some money—they gave me fifty dollars for the services rendered ; besides, some of the friends gave me a present of so much, I didn't mention.

Q. Was it the borough that gave you the fifty dollars ?

A. Yes, sir.

Q. Had you sued them ?

A. No, sir.

Q. Didn't you threaten suit ?

A. No, sir.

Q. It was at the end of your services that resulted in your being sent to Dixmont ?

A. Yes, sir. It was just after I quit taking care of them, and excepting when I would go to the post-office or up the street, why, the people would always give me one side of the street and take the other ; no matter who would meet me, they all knowed ; but I had burnt all the clothes.

Q. I understood that the judge of the court sent you to Dixmont.

A. I don't know that he did ; I suppose that he did.

Q. Do you think that was a plan by those who were afraid you might give them the small-pox on the street ?

A. I think so, but I won't be sure.

Q. That is, you think they wanted to be rid of you ?

A. That is what I think.

Q. What is your own idea about your mind at that time ?

A. My own idea about my mind is, if I had been left alone and not irritated by the men that followed me, I would have gone to Bentleyville and stayed a couple of nights, and been as good as ever.

Q. Who were these men ?

A. One has a reputation, in fact, for stealing meat—no, it takes so much time ; that will throw me back to thirty years ago to make that out.

Q. You know the names of these men that followed you ; was there any others that followed you besides this one ?

A. Yes, sir ; they accumulated on the road, and the further I went the more there were.

Q. How far had you got on your way to Bentleyville when you were caught ?

A. About three and half miles.

Q. Do you remember who took you to Dixmont ?

A. Yes, sir.

Q. Who was it ?

A. I don't know as I can give you the name, it was a policeman ; my son went along. I know his face well enough, but can't recollect his name ; I know them, I can't give it.

Q. Do you know whether there was more than one doctor testified to your being insane ?

A. I don't know that there was any now ; I never asked Mr. McKenna after I met again, I did not accuse him anything about it ; I don't know how many or who.

Q. You stated in your examination-in-chief that you were troubled with the idea of electricity being in your——

A. Yes, sir.

Q. Was that at the same time you were attending these small-pox patients ?

A. No, sir ; I felt that on me about the day I quit attending them, and about the strongest the day they took me ; I never felt it after.

Q. How was it, as a matter of fact, do you think you had electricity in your limbs?

A. I can't to-day take hold of a battery and not be charged without having the charge put on; I feel it in me. There is men, after a certain charge is put on, feel it. I tried it over at the exposition, I was trying it rather, and a man insisted on putting on the electricity; I told him not to do it, I wanted to try it, to leave it as it was; and I took hold of it and I could not hold it all, and the man that run the machine said that he could not feel it at all; and it is so at certain times, depends on the weather; or let me lay two pieces of steel together. It is not imagination, it is reality, and I will feel it all through me just like that.

Q. Do you feel it yet?

A. I feel it yet, and feel it a little now.

Q. Do you frequently have it yet?

A. No, not so much, not lately; I have been at work—manual labor—lately; I have been digging cellars and chopping, for the reason that it gratified my family better, and they thought it would be better for me to work some of this surplus muscle off that I have; by the way, I have a good deal of it.

Q. A good deal of muscle?

A. Yes, sir.

Q. What is your weight?

A. I don't know; the last time before I went to Dixmont I was pretty near 218 pounds; well, I guess myself now at 185 the way my pants fit me; I have shrunk some since.

Q. You stated a while ago in reference to some medicine you took in Dixmont and that you knew the ingredients of medicine pretty well; have you had much experience?

A. Well, I have had a great many lessons in regard to it.

Q. How do you mean lessons?

A. Well, I had an uncle who was the inventor of an ingredient that if you put it in whisky it would ripen new whiskey, say two months old, and in six months it would ripen until a liquor man could not tell what age it was, and he sold it to this man Gibson at Bellevernon. He came to my uncle and bought this recipe of him; my uncle told me all he knew about it.

Q. That is more in reference to the chemical qualities of the whisky; you spoke about the medicine—how about that?

A. Well, if those medical qualities were in the medicine, I could detect it as well in the medicine as in the whisky; it was either a little fusil oil or essential oil on the medicine, or they gave me very bad whisky; it was very new or raw. I am not a drinking man.

Q. You know, Mr. Hopkins, a good deal about medicines outside that particular, don't you?

A. Well, I don't know that I do;—that I would be a man qualified to give medicine, but it seems kind of natural to me to do something of the kind, and to talk about it.

Q. You sometimes prescribe?

A. Prescribe? Yes, sir; if I saw some person needed it I prescribed, and have helped to set bones a good many times in my life, so much so that I would not ask a doctor to set a leg for me if it was broken. I could set it myself a great deal easier and better.

Q. You have a natural inclination that way?

A. Yes, sir.

Q. Was that the reason,—your knowledge of medicine,—that you en-

tered into the arrangement with Dr. Wylie that you should take no more medicine?

A. Yes, sir; and the little faith I had in the doctor's prescribing—the two things together.

Q. This knowledge of medicine,—of the ingredients,—has that been a recent discovery or have you known it all your life?

A. All my life.

Q. You prescribed for yourself occasionally?

A. I do generally, and carry the medicine.

Q. Carry the medicine?

A. Yes, sir; most always carry a little rhubarb, that is about as far as I go.

Q. You say you have had some experience in setting bones; how many limbs have you set in your time?

A. Well, I could not say; my grandfather was the only man to set legs in the neighborhood, and he would take me along either to hold the splints tight or to tie them on, and I helped set a good many, and when I had my leg broken,—I guess there is a man in town now——

Q. When was that?

A. I believe it was six years ago I got a broken ankle; got it knocked out of place, and it was set as quick as I took my boot off.

Q. Did you have a doctor at all?

A. They got a doctor and got a box to put it in, and packed it;—filled the sides with grass and mud until I could get home.

Q. Did the doctor approve of it?

A. No, sir; he would not have anything to do with it at all, until I would agree to stay with him forty days, and I took the chances on it.

Q. In your intercourse with the patients down there did you discover any inmates that were sane? You think a number were sane?

A. Well, no, not a number.

Q. Well, how many?

A. Two or three, but I would venture on more; in my judgment that is all I give on that ought to be out.

Q. That ought to be out?

A. There is half a dozen—a dozen—that I could name now there that, in my judgment, ought to be out.

Q. Did you have long talks with them?

A. With these I thought ought to be out I did, and with the view to decide, in my own view, whether they ought to be out, and that is why I talked with them. There is a man there, I am satisfied, is as sane as ever they would or as ever they was. There is one man in particular; I will mention his case. There was a man that was sent from the neighborhood of Smith's Ferry, down the river here. At one time there was an oil tank caught fire, and he undertook to help get some horses out, and he was severely burned; one ear was burnt, and one eye was burnt off, and his back is just as if scarred cleared up to his neck, and the leaders were burned until the skin and flesh and leaders dropped at an angle of about from there to here, [witness indicates,] and both arms.

Q. You didn't see this; you are describing what he told you?

A. I am describing what he told me; I saw his back, his ear, and his eye; he is as sane as can be.

Q. Do you know what his name is?

A. Well, I am not sure whether I have his name or not; I have it at home; he gave me two letters, and I never had a man hang on to me so much to carry them out of the institution to give them to some one—to

give them to whom he directed them to. One is in Rochester, and the other is at Enon Valley; McCready—W. S. McCready—is that man's name.

Q. You don't know what ward he is in?

A. He was in the fifth ward; the last ward I was in.

By Mr. Walker:

Q. W. L. McCready?

A. W. L. McCready, he is the one that was burnt.

By Mr. McKenna:

Q. You say there are some others who were sane?

A. Well, there is a man named Alderson I saw, and I could not see anything that would indicate that he was insane.

Q. Were you talking to him?

A. Yes, sir; had a great many talks with him; and he came to me, and says he, "I think you are going to get out soon;" says he, "I want you to be interested for me, and see if you can get me out." "Well," says I, "I will do it;" and he says, "When you are out of the institution, here is two handkerchiefs that my wife sent me, I will give you both of them, and you put one in each pocket, and every time you put your hand in them think of me," says he, "and don't stop thinking until you see my wife." Well, I went, and she was not at home. I saw one of the girls, and she said she would tell her mother; and the next day her mother went, after I told her—she was told what I said—and took him out. He is out now—out here at Soho—a little bit off Soho; they keep a little cigar store two or three streets below. He is out, and I have seen him two or three times. I think I can see a little wrong with that man yet.

Q. Since he was out?

A. I think I can, better than when I was there.

Q. You are a pretty good judge of insanity from your experience and observation?

A. Well, I don't know; I leave that for other men to say; I would rather have them to judge for me.

Q. Your first trouble, that led to your committal at Dixmont, twenty-one years ago, was from a patent?

A. Yes, sir; what caused it, me thinking over the patent and applying for the patent and thinking it over, and doubtful whether I would get it, and being very anxious to get it, and pressing the matter, and thinking what I had best do to forward the thing, I went to Washington with it.

Q. How were you sent there then—by an order of the court?

A. No, sir.

Q. Voluntarily?

A. By my family.

Q. Voluntarily by your family?

A. By my family—they thought it best.

Q. Did you go yourself, or under an escort?

A. My wife went with me to Oakland—my wife and two or three of my neighbors. I thought I was going to Washington city. I thought I was. They misguided me by saying I was going to Washington, and was to accompany me to Pittsburgh first, and I went to the Pennsylvania hospital to get some money. Some of the parties told me that I could get it right there, and they took me, and the first thing I knew I was captured.

Q. You felt pretty bad over the trick at the time?

A. Yes, sir; I suppose I would feel like other men would that were considered rational to be taken off in that way.

Q. Did you ever, afterwards, get your patent?

A. Yes, sir.

Q. What was the patent?

A. That was a patent to get a fence so that a dog could not jump it without being caught.

Q. That is what you call your sheep fence?

A. Yes, sir; I have the patent, and for that reason I was put in the asylum, and I just dropped it. I think to-day it is just as good a thing as ever was.

Q. You may describe it.

A. Well, I can do it very easily. [Here witness described the patent.] It was a very simple arrangement, and very effectual, but I never tried to do anything with it at all.

Q. How long were you engaged on that patent?

A. I could not say, sir.

Q. In getting it in shape and perfecting it?

A. I suppose it was about six weeks, but I got the idea by setting stakes in the vineyard. That gave me the idea.

Q. You don't know what the department did with it?

A. They gave me a patent. I got the patent, and have got many drawings at home now.

Q. Was it considered very valuable?

A. Well, yes, sir; men talked with me when I was getting it patented, and at the time thought it would be very good to some that used it. I just gave it to anybody.

Q. You never tried to sell it?

A. I never tried.

Q. Would there be money in it?

I suppose there would. The first time I went to the insane asylum I kind of looked on it as though it was a disgrace, and it affected me in such a way that I did not feel comfortable being brought before the public. That being the cause of it.

Q. This patent?

A. No, sir, insanity; I didn't want to go out before the public that way, and I just thought things had gone so far as they had, this kind of treatment, that now I don't care what the people thought of going to the institution and I would just make a clean breast of all that I knew and let the consequences terminate as they may.

Q. When did you get this other patent?

A. 1869, and I got another one in 1872, the same kind of a machine, for the same purpose, but not the same make; I have got two patents on road scrapers.

Q. Have you sold State rights and Territories on that?

A. Yes, sir; I have got a pretty good idea of all this country around here, for the reason that I have peddled it out by townships in every part of the country around here.

Q. In Washington and Allegheny counties?

A. Yes, sir.

Q. You stated in your examination-in-chief that Dr. Wylie was a pretty good man; is that correct?

A. Yes, sir; I have looked at him as a fair kind of a man.

Q. Why, if you so regarded Dr. Wylie as a fair kind of a man, didn't you make these complaints to him?

A. I did at one time and got an answer from him enough to satisfy me that he was not the man to make them to.

Q. I thought at that time it was about somebody else?

A. I did not.

Q. You did not make any complaints yourself?

A. Yes, sir.

Q. As a matter of fact the day that you feigned this spasm, and was carried in and strapped down to that bed that you testified to in your examination-in-chief, didn't Dr. Wylie come into your room and attend you?

A. I have no recollection of it. Of course it was after they had abused me; I did not pay much attention to anybody.

Q. Didn't you in point of fact often talk to the physicians going through there?

A. No, not often; but Dr. Wylie and I talked together three or four times.

Q. What did you talk about?

A. Well, the first talk we had was something like this: Dr. Wylie came into the room—now I can scarcely give who commenced first, but we commenced talking about one thing and another and I said something like this: "Dr. Wylie, let us have a talk," "All right" said he and he sat down.

Q. Just give the talk.

A. "Well," said he and sat down, "let us have it." I says, "Suppose we have a talk." "All right," says he and we just sat down and says I, "Suppose you take a piece of iron and you heat it in the forge to a white heat so that it will weld nicely, and then you take it out of the forge and take it to another one immediately handy and place it in there and blow cold air on it, what effect would it have?" "Why, said he" it will make it cold," says I, "It will not at all, it will melt;" Says he, "It will make it cold." I don't know whether he tried it; but I saw him one day and I asked him how him and the iron was getting along, but there was no more about; that was the most extended conversation we had.

Q. Did you make a bet with him?

A. I did on the hanging of Guiteau.

Q. How was that bet?

A. Well, he came into the room and he walked through; he never would stop only sometimes to speak to me, and sometimes went that there style, and one day I says to him, "Doctor I want to make a proposition to you." "All right, sir," says he, "what is it?" Says I, "I will bet you a silk hat in Pittsburgh that they won't hang Guiteau." He says, "All right, I will take it." Says I, "I mean it, and I will pay it," and the first time I come to Dixmont I will. Of course I lost it, but I think I ought not to have.

Q. Why not?

A. Why, he never done anything from the time he was taken up until he was hung that showed he was not an insane man. That is one trick that I am ashamed of the American people for doing; I am ashamed of it, and I am a Republican, too.

Q. You found Dr. Wylie a rather genial sort of a fellow?

A. Yes, sir; I have rather a warm side for Dr. Wylie.

Q. You have a warm side for him?

A. Yes, sir. When I asked a favor of him he done it, that he would not do for anybody else; I would holler out the window to him to send up some posies, flowers, and if I would drop a string out he would tie them to it and I would haul them up, and I must say that I have a warm side for Dr. Wylie.

Q. Why didn't you, if you had such a warm and affectionate feeling for Dr. Wylie, when your ribs were broken and spine hurt, tell him?

A. I thought they had broke four for me, and if I complained Dr. Wylie

would reprimand the attendants, and that then they would come back again and break twice as many.

Q. Then you had no confidence in Dr. Wylie?

A. Not very much there; in talking to the attendants I thought he would take their word rather than mine, as I was insane.

Q. Couldn't you strip off and let him examine you?

A. Yes, sir; that would be going too far, and I declined to do that.

Q. Declined to do that?

A. Yes, sir; he complained one day because I didn't talk; I asked him how long it would be before I would go out, and he said, "I can't tell; you don't say anything." Well, there was a while there that I thought that a still tongue made a wise head, and I didn't say anything.

Q. I understood you to say in your examination-in-chief that they put a strait-jacket on you?

A. Three times altogether.

Q. The first time was for doing nothing at all—absolutely nothing?

A. Well, I don't know but what I might have been talking to myself, or something of that kind.

Q. Talking loud and boisterous?

A. Yes, sir; that seemed to be an inclination I seemed to have, to talk so loud.

Q. This great expenditure of muscular force that you talk about—was you trying anything of that there?

A. No, sir.

Q. Did you break anything there—any furniture or pictures?

A. No, sir; no, sir; I know I did not at Dixmont.

Q. Were you charged with an unusual amount of electricity on those occasions?

A. Yes, sir.

Q. You thought you were?

A. Yes, sir.

Q. That caused you—

A. That is where I felt it; that is where it centered; I don't know what the cause was, but that is where it centered.

Q. Did you tell them, when they come to put on the strait-jacket, that it was only an exhibition of electricity?

A. They are a class of men that are too ignorant about men; might just as well indulge myself talking to a dog.

Q. That is the attendants?

A. Yes, sir.

Q. That was the first time?

A. Yes, sir; I think it was—one night I was in there without the strait-jacket.

Q. That is the first night?

A. Yes, sir.

Q. Were you noisy that night at all, keeping anybody awake?

A. Well, I suppose I did; I suppose I did.

Q. Mr. Hopkins, was it the first time they put the strait-jacket on you that they jumped on you?

A. No; it was the third time.

Q. Now, the second time, let us get at that; was that the time you got up this practical joke?

A. No, no; it was long after; between the second and third times was about three weeks.

Q. Let us have the second time.

A. The first night I had it on was the second night, and the second time was the third night.

Q. Was it then you had that trouble?

A. No; I didn't notice it so much as I did afterwards, when I examined myself fairly; that is when I noticed this nervous feeling.

Q. It caused you to become restless?

A. I can't get to sleep when I feel that, and sometimes I felt that feeling, yet I cannot account for it; it is as though a person lies still and I can feel every pulsation.

Q. As if they were driving pins in you?

A. No, sir; just like driving a blow, and then I feel it clear through me; I can't go to sleep at all.

Q. How does it affect your muscles?

A. I don't know that it affects my muscles now.

Q. Not any?

A. No, I don't know as it ever did; my muscles or strength, anything of that kind; it seems to be the nervous excitable part of me.

Q. The second time they put the jacket on you, how long were you that way before they put it on?

A. They put it on in about an hour.

Q. That is the time you broke it?

A. Yes, sir; I burst it.

Q. What is it made of?

A. It is this heavy bolting cloth, the heaviest material made out of cotton; very heavy material, canvas.

Q. Didn't it take a very strong man to break it?

A. Well, I don't know; that would be saying I was strong myself, if I did do it; I guess it does.

Q. The third time they put it on you was the last, was it?

A. Yes, sir.

Q. Was that the occasion they jumped on you when you had it on?

A. Yes, sir.

Q. And that time you burst it?

A. No, sir.

Q. You were overpowered?

A. Yes, sir. I could not fill my lungs with air; it hurt too bad.

Q. How long did you have it on that time?

A. I can't say exactly how long it was; there was part of the time I didn't know where it was, after the jacket was put on there.

Q. Were you unconscious?

A. I was unconscious; I recollect what I said the first time they took it off; after they took it off and took me to the bath-room, I felt relieved and took my clothes off; I mind I felt very light-headed and dizzy.

Q. That was how long after?

A. After they took it off; I don't know how many days it was after they put it on, but it was after they took it off.

Q. There was a period you were unconscious?

A. Yes, sir; I was not conscious enough to keep an account of the days, weeks and the times.

Q. When they took it off they took you to the bath-room and gave you a bath?

A. Yes, sir.

Q. Do you know what attendants took you?

A. Yes, sir; this man Liggett took me.

Q. Who was the other, or was he the only one?

A. The only one. I said I felt bewildered when they put me in the bath-tub, and I felt like as if I would keel over. I felt dizzy, and I asked them to please let me alone—sit still. I believe Miller sat by me, and they let me alone, and I got over that in a few minutes. The reason I recollect that he would joke me up about the first time I noticed him. He was put in there the first time I was put in this condition. I didn't notice him before, and took quite a notion to him afterwards.

Q. Did you call the attention of the attendant, when you were in the bath-room, that your ribs were broken?

A. No, sir; I don't think I ever mentioned it to any parties. I might have mentioned it to this man Miller. I think that he was the only one. I thought the best thing I could do was to keep quiet.

Q. So you concealed that from the attendant; you didn't tell the attendant, when you were in the bath-room, anything about those injuries?

A. I did not, because he produced them.

Q. That accounts, now, for the three times that you had the strait-jacket on?

A. Yes, sir.

Q. Now tell us, Mr. Hopkins, again about this practical joke you got off on the attendants one day there about the fit. Just describe that again. I can't recollect the circumstances.

A. Well, that was sitting at the table.

Q. Was it at dinner?

A. Yes, sir; at dinner; I think it was just in the forenoon that those were taken. I can't think of his name now. Would get a fit of that kind every once in a while.

Q. One of the patients?

A. One of the patients, and he and I were very familiar. I would go to him and ease him down, and after dinner the idea or thought struck me. It was just this; now that it would be a good joke for me to take a spasm here, and for the attendants to carry me away from here, and I staid a good while, and thinks I now, if I do that the doctors will investigate my case, and they will see how much ails me, and I will see how much they know. That is just what I thought, and thinks I, here goes, and I set my knife on the prongs of my fork like this, and fell back as stiff as a poker, and they picked me up and carried me out, and I believe, Dr. Wylie, you administered medicine for the fit.

Q. How long did that fit last?

A. Well, I have got to admit this, that after I carried it to this point without detection I feared that I would either have to carry it out or I would catch fits for it. I will admit that I thought I would have to carry the thing through. I did not think it would go so far. I straightened up, and did not laugh, and that was the hardest thing for me to do in the whole thing, to just keep from laughing while it was going on, but I went in there and felt composed, and after they shut the door and laid me down in the bed all nice.

Q. Dr. Wylie came in then?

A. I could not say Dr. Wylie came in then.

Q. You say you think he administered the medicine?

A. He was the one that was giving medicine at that time.

Q. Prescribed it?

A. Yes, sir; he never gave me medicine, but prescribed it.

Q. The medicine that was prescribed made you still more lively?

A. Yes, sir; the medicine that they gave me brought the fits out.

Q. How long was this after your ribs were broken?

A. It was before; just after that they put me through this course of rib-breaking.

Q. I think, in the narration that you have given me, there was two times the strait-jacket was put on, and this was the last?

A. There were two times, and they were three weeks apart, or a month. I don't remember exactly. I don't remember the date.

Q. Was that the only practical joke in connection with your stay?

A. No; I don't know whether it was or not.

Q. You were a good deal of a wag, were you not?

A. Well, yes; I had a good time amongst the fellows.

Q. In compliance with your ideas of practical joking, did you ever hit anybody and break up any furniture, crockery ware?

A. No, sir; I never struck anybody, excepting this man Ginneth. I struck at him once; he is the only man I ever struck.

Q. Was it in a joke?

A. That was reality.

Q. It was reality?

A. Yes, sir; that is when they put the jacket on me the last time.

Q. The last time?

A. Yes, sir; that is the time they abused me—at that time when I struck him; just after that I struck him.

Q. Were you conscious during all that time?

A. Yes, sir.

Q. How long were you in the jacket at that time?

A. Well, that is a time—that is a period of time I could not recollect; I don't know how long they had the jacket on me at that time.

Q. Why can't you recollect it?

A. Well, I believe it was on account of the medicine; I think that.

Q. Was that before Dr. Wylie had given you this dose, or not?

A. No, it was just afterwards; but for a week, or two or three weeks, I don't know how long, maybe a month.

Q. Was that before Doctor Wylie and you entered into the agreement that you were to take no medicine?

A. Yes, sir; it was before; it was after that we entered into the agreement.

Q. This time you were unconscious you don't know how long; you don't know how long you were in the strait-jacket; you think this unconsciousness was produced by the medicine?

A. Yes, sir.

Q. Did they give you the medicine without your knowing it?

A. No, sir; but there is a length of time I am not conscious of; I can't recollect dates; I can't recollect the length of time.

Q. You can't recollect whether you took any medicine when you had the jacket on?

A. I don't really know that I took any medicine when I had the jacket on.

Q. Is it your idea that some medicine was given to you to make you unconscious?

A. No, I would not think that; but I think it had that effect.

Q. Mr. Hopkins, you have some knowledge of medicine; do you know what that prescription was or could be?

A. No, I don't recollect all the things; but to the best of my judgment I took it.

Q. Now, what was it?

A. Well, the nearest was oil, just as though I took oil when I had the jacket on.

Q. What kind of oil?

A. Well, I forget; I am not just a chemist to give all what it was; it was between castor oil and lard oil.

Q. Do you think that made you unconscious?

A. The little I took was not pure castor oil, as I never knowed of a mixture administered like a mixture of castor oil in lard oil, but it had that flavor to me.

Q. The question I ask you is this: What effect had it on your mind?

A. I don't know as it had any; it had a good deal on my bowels.

Q. You said, a while ago, you thought it was that made you unconscious?

A. Not at that time.

Q. What was the medicine that made you unconscious?

A. I don't recollect; the first medicine ever I took—that day they put the jacket on me—at that time was medicine that was either bad whisky, or fusil oil, or essential oil; call it what you please, it is the oil of grain; that is what I think made me wild.

Q. Made you unconscious, too, did it?

A. Yes, sir; I don't know what it did; I can't account for it.

Q. You said in chief that you were not through with Doctor Reed, and had some contemplation of suits?

A. I thought if this thing did not investigate the matter to suit me I will go at it to suit myself.

Q. Is that for being detained?

A. No; I don't know as it belongs to—I will let it go if I am satisfied here that will end it; if I ain't, I will bring suit myself.

Q. Mr. Hopkins, you were not discharged as cured, were you?

A. Yes, sir.

Q. You say you were discharged cured?

A. I think I was; I don't know, sir; I never saw the papers; I don't know what they amount to.

Q. At whose request were you released?

A. Well, the only thing I know is that Dr. Reed, after he had been on a visit, I can't exactly tell, he had been away thirty-five or forty days from the institution, away gallivanting around the country, I requested several times that I would be released, and I was told I could not be until Doctor Reed came home; he was the man to be consulted and he was away; and after he came home he came into the ward one day and shook hands, and he said, "I guess you would like to go home." I said, "Yes, I would;" say I, "I shall feel very grateful if you will do something to cause me to be sent home." "Well," said he, "I will try and do something this week," and they passed on, and two or three gentlemen, commissioners, I suppose. After he passed me he came back and said: "Hold on, I want to tell you of this man," and he was telling them about there being enough humanity in me to take care of the small-pox patients in Little Washington when no one else would do it, and that I was sent down there expecting to take the small-pox and he took charge of me. Right here I will say this, that I did have what I would call nurse pox, not quite varioloid. While I felt the aches and pains of small-pox considerably, but when there was a blister raised on me I would go to the water-closet; it was generally in my head, right around here [pointing] more than any place else, and I would take my finger and cut it right out, every time the pimple would be just about ready I would take it clean. There was nobody in the institution knew this; the doctors did not examine close enough to get to know such a thing was going on, and I did not say it myself for fear there would be a

hubbub raised and they would send me to the pest-house, but I had at least one hundred on me when I was in the institution.

Q. You had the small-pox once before?

A. Yes, sir, I had the small-pox.

Q. How long ago?

A. When I was eighteen years of age—the winter I was eighteen.

Q. In your experience, have you known of persons taking the small-pox twice?

A. No, sir, I never knew of it; I have heard of it twice; I am the only one that ever had—

By Mr. Graham:

Q. Have you ever been accustomed or in the habit of drinking intemperately?

A. No, sir; oh, well, I cannot say that; I have been dram-drinking a long time.

Q. Not a habitual drinker?

A. No, sir—no, sir.

Q. You would take a spree occasionally?

A. No; well, I would hardly admit to that. I have got out with what we call good fellows, and taken a little too much several times; never carried it over one evening; that would be the limit, and then it would be sobriety again for six months, may be a year, just depending where I was and what I was doing, and so on.

By Major Walker:

Q. In reply to a question asked you by Mr. McKenna, whether you ever wrote to Doctor Wiley after your ribs were broken—the question was asked you whether you had written to Doctor Wiley stating this, stating the facts that your ribs were broken. Did I understand you to say that you didn't write?

A. I don't recollect of it.

Q. Mr. McKenna asked you the question, and I understood you to say that you didn't write to Mr. Wiley?

A. Not to the best of my recollection.

Q. To the best of your recollection, did you write to any physician in Dixmont in reference to your ribs being broken?

A. No, sir; not that I recollect of. It seems to me like a dream, almost, that I mentioned it to Doctor Wiley; I am not positive. When he came up before, says he, "You are all right." I kind of think something like that happened once.

Q. But, then, so far as regards writing a letter, your recollection is now you did not write to any of the officials?

A. No, sir; I have no recollection of writing to any of the officials.

Q. Mr. Hopkins, you say that there was possibly a dozen patients in there sane?

A. Yes, sir; not all together, from first to last; there was some in the different wards I was intimate with; we was out in the daytime; would go out together, and I passed my opinion on them.

Q. When you say that, do you mean a class of men that ought not to be in Dixmont hospital?

A. That is, I didn't say at all, but men who had better be at home than in Dixmont.

Q. There being really no necessity of keeping them there?

A. Yes, sir.

Q. How were those sane men treated?

A. I cannot say how they was treated; there was what was called a third

ward, the aristocratic ward ; I wasn't allowed in there, Dr. Wiley would not allow me in ; these tony fellows was in there. But I saw men in that ward which my judgment led me to think they should be at home by all means. I will name one, was that—

By Mr. McKenna :

Q. Purshing ?

A. A man named Purshing, around in the neighborhood of Johnstown ; now if there is anything wrong with him they have a good deal finer sight than I have.

By Major Walker :

Q. Explain about Purshing.

A. Well, we had a talk about an hour, as we would meet and pass ; I had a five minutes' talk, something of that kind, and he told me he had taken a notion to sink a shaft for coal, and that his wife rather preferred he would get or throw it into a company or get a partner or two, and that if it was a failure he would not lose so much. Said he, "I just thought if it was a success I would not make so much, so I determined to put it down myself." And so he went on and said he had been declared insane, and he told me he had been in there nearly a year when I talked to him. That man is sane enough to go anywhere ; he could come to my house at any time.

By Mr. McKenna :

Q. Were you there on the fourth of July ?

A. No, sir.

Q. Did you read his fourth of July oration ?

A. No, sir.

Q. You knew nothing about that ?

A. No, sir.

By Major Walker :

Q. Mr. Hopkins, you say the sane men were kept in what you called a tony department ; that is, they were in a better department ?

A. Yes, sir ; the others said they were ; they had things set on the table more home-like, and reached for what they wanted, and got what they reached for.

Q. Are these private or public patients ?

A. Both, I think ; I don't know.

Q. Would you know what the course of treatment would be in reference to those parties if they were in another department ?

A. No, sir ; you can see by their dress ; they were dressed a little better than the men from the other wards, and right here I want to say a little about dress—this is voluntary—when I went in there I wore a suit of clothes that I wore there, and they have been in use some since. They were a little muddy ; but there was a suit of clothes that had been snorted over by somebody, that the patients seemed fit to call me butcher, along down the sleeves, and dirty clothes.

Q. They compelled you to take off the suit you had on ?

A. Take this off, and that is the kind of suit they put on me—snorted on the sleeves clear down ; I was ashamed to be seen, and old shoes, and for a while until at last they seen I had a little pride, and they dressed me up the best man in the ward. I returned good for evil.

Q. Did they give you back your own suit ?

A. Yes, sir.

Q. You didn't wear them there ?

A. No, sir ; they packed them away for fear of small-pox.

Q. You have mentioned three different times that they put you under restraint by putting a strait-jacket on?

A. Yes, sir.

Q. I wish you would state to the committee whether you saw or ever heard, while in Dixmont, of their using any other physical restraint or torture of any kind of punishing any inmates other than a strait-jacket.

A. No, sir; I don't think ever I did. A strait-jacket and what they call mufflers, that is about all they put on a man to confine him.

Q. There is no other species of restraint by way of punishment or torture—nothing that way?

A. No, sir; no punishment except what the attendants put on a man; and I don't wish to be understood that I believe Doctor Reed did hardly know of this. I want to be distinctly understood, I don't say that they knew this; I say if they didn't know it they are not fit men to run the institution, and if they did know it they ought to be hung.

Q. Now, in reference to not notifying the officials after your ribs had been broken, you stated to Mr. McKenna that the reason you didn't notify the officials was that you were fearful that by disclosure of that state of facts to the officials you might possibly be maltreated more.

A. Yes, sir.

Q. That is your answer to that?

A. Yes, sir; I was afraid of talking about my maltreatment for fear I would receive more.

Q. After you had been maltreated in the way you have so very graphically described here, you say that you became unconscious, partially, there from that or from the medicines that were administered to you; are we to understand that this is one of the reasons why you cannot distinctly remember the exact times that passed between what occurred?

A. Yes, sir.

Q. From one time to another?

A. Yes, sir.

Q. Explain what a muffler is.

A. Well, they are a piece of leather so wide [describing,] about two feet wide, I guess; they are wider than they are long; they are wide enough to lap around a man's wrist; and then a buckle without a tongue comes up through the loop-hole like that, [describing,] and one end comes up through the buckle in the loop-hole and your hand in them, and the buckle around here [describing,] then they are looped around together, this straight, long strap running through the buckle, and that prevents you so you cannot get one hand to the other to release it. There are straps around the wrist, and it protects it to the elbow.

Q. That is a very humane act on their part to prevent prisoners from injuring either themselves or anybody else.

A. Yes, sir; I think that was the idea of it.

By Mr. McKenna:

Q. It didn't hurt the wrist?

A. It would not be bad if they didn't draw them tight. I will explain this, that I have seen men have that on there that I was told of doing different. Once I saw men there with mufflers that was in the habit of self-abuse, and that was the way they are prevented there.

Q. Did you ever write complaining about breaking your ribs to any one?

A. No, sir; I don't have no recollection of ever putting it into print. The reason I didn't do it was this: I knew if I put anything in in regard to the institution, except speaking well of it, they would never go. I wrote letters before—twenty-one years ago—that never went home, and I wrote

letters to Doctor Wiley, and I gave it to Mr. Colwell to give to him, and Colwell said he would give it to him. It was just for amusement, and I asked Wiley if he got it, and he said not; and I wrote another one, and I think he did get it, from the way he came in with a young lady, he looked kind of shy.

Q. Bashful?

A. Yes, sir.

Mr. McKenna here stated that Doctors Galligher and Mowery, on behalf of the respondents, were here ready to examine the witness in regard to the alleged breaking of his ribs and the injury to his spine; whereupon Doctors Galligher and Mowery, on behalf of the respondents, and Doctor Lashells, on behalf of the investigating committee, retired with A. P. Hopkins, the witness, for the purpose of making the examination in regard to the injuries alleged to have been received by him.

Doctor H. S. McKENNA, *being duly sworn, says:*

I examined A. P. Hopkins, who testified in these proceedings, on February 23, 1883, on or about — day of July, 1882. On his first visit from Dixmont to Washington, Pennsylvania, Mr. Hopkins called on me at my office, he said, to have a little conversation with me, to inquire if I knew if it was part of the treatment at insane hospitals to “cow persons” to control inmates. Then he related alleged cruel treatment he had received at Dixmont. Two men, he said, had come into his room and put a strait-jacket on him, and they threw him down, and he claimed in doing so they broke two of his ribs, one on left and one on right side; and he stripped off his coat and pulled up his shirt, and indicated a point where I should examine the injuries, taking hold of my hand and pressed the place, and asked me if I felt that place where the rib was fractured, and I said I felt that—I agreed with him for complacency—I did not want to disagree with the man. At the points he placed my hand I found nothing unusual, although it was not much of an examination; I felt no lump or wrong at the points he stated on either side.

At the time of my examination I told him he looked neat and clean, and in good condition.

As the man was not consulting me as a patient, I cannot call my examination thorough, or an examination at all, properly speaking, beyond what I have stated.

H. S. McKENNA.

Sworn and subscribed to before me this 24th day of February, 1883.

J. J. McCURUM,

Chairman of Joint Committee.

Doctor CHARLES SEVIN, a witness called before the committee, and who, being first duly sworn, testified as follows:

By Senator Hart:

C. F. McKenna, Esq., on behalf of the respondents, suggests that the proposed witness has been declared a lunatic by the court of Erie county, and that he still is under the ban of lunacy being so judicially considered, and that his oath would not be taken in any legal tribunal.

Q. Doctor, how old are you?

A. Seventy-four past.

Q. Where were you born ?

A. I was born in Germany, Bavaria, in the Province River Rhine, it is called.

Q. Where were you educated ?

A. I was educated the same as we have now, in the common school, then I went to the high school, and then for a year in Heidelberg ; I was in Heidelberg as the law required in our country, Heidelberg was in the country Baden, and we was in the country Bavaria, and I was discharged from here and went to Bavaria and to Hamburg. I have my testimony, and the evidence will show it.

Q. What is your profession ?

A. My business is doctor, allopath, surgery and mid-wifery, all together ; you cannot divide it, mid-wifery is not alone.

Q. How long have you been in this country ?

A. I came in this country in 1837, in September.

Q. Where have you lived since you came to this country ?

A. I lived down in New York, in Guilderland for a time, and then I moved to Erie in 1839 ; since that I was in Erie up to 1874.

Q. Did you practice your profession in Erie while you were there ?

A. Yes, sir ; as an allopath ; we understand it so in our country, it cannot be divided.

Q. You practiced your profession while you were there ?

A. Yes, sir.

Q. Down to what time in 1874 ?

A. 1874 up to the 13th of June, I came to Dixmont.

Q. How came you to become an inmate of Dixmont ?

A. Upon my own request ; I found it so after my wife was dead, I had such queer ideas that looked very strange ; I had nobody to see me or talk with but friends, but that is enough. One thing, I was just so that I would be pushed out of my home, I didn't feel at home, so I thought it was best to go to a place and have protection, and get more advice than I was able to give myself.

Q. Then you went to Dixmont on your own account ?

A. Yes, sir.

Q. Was your going there suggested by anybody ?

A. No, sir ; nobody suggested to me to go, that was my own request, a friend of mine, Mr. Kolb, went along with me there, I would have somebody along with me, he brought me here, he is from pretty near the same place I come from.

By Major Walker :

Q. He is somewhat younger ?

A. Five or six years younger.

Q. Then you was a pay patient during the time you were there ?

A. So far as I know, I paid expenses out of my pocket ; I don't know otherwise.

Q. You say that your mental condition at that time was a result of the death of your wife ?

A. The death of my wife and all this here ; I could tell you stories—my goodness,—my goodness,—my troubles were too much.

Q. Your domestic troubles ?

A. It was too much excitement ; one thing was there and there was another, and then about my daughter, my wife, my son—that is too hard to tell, better let this alone.

Q. How long did you remain at Dixmont ?

A. I was there from 1874—from the 30th of June—up to 1883, the 4th of January; I was eight and a half years.

Q. What kind of treatment did you receive at Dixmont during your continuance there?

A. I might say as yet,—was Doctor Hengst there,—was very kind to me, then he thought it was a debilitated state of the nerves. I had typhoid fever, that is, when I was in Erie; yet, before this feeling came on me, that settled in my legs from my knee to my ankle, and concentrated about the ankle, and broke, and discharged a kind of albuminous fluid, and Doctor Hengst thought my nerves were so unstrung—he thought I ought to take a tonic, and gave me a good deal of iron. I took the medicine with the iron and then I told him I would quit it. I would help, so far as medicine would go and my mental feeling—I had to help myself; and then I was advised by Doctor Reed once, in conversation,—“Well, so far as I understand your case, we cannot help you; things have to be left by themselves,” and so it was talked, so-and-so, and I mailed letters very frequently home, and so on. I took it also it was necessary for me to be there, for where should I go? My friends had houses; no house for my children; my son didn’t care much about me, so I thought it didn’t matter where you are; still, I found how it was;—I had no need for medicine, I had a desire for home most of the time, it was three years or so, and most of the time I was confined to my room at first, except when the assistants came to me and advised not to inquire about anything; if so-and-so came, advised to let me alone again; so I was always by myself and I don’t know that I could be more modest or decent; I don’t know that I can be blamed in any way,—always kept myself quiet; then I had a desire,—my wife and daughter were at the cemetery, a long time dead,—I had a longing for my old home; then I told Doctor Luther—I told him once—that I wished to go home; I told him to see my clothes; I am wasting away; they were getting too wide. He says, “I see you are losing ground; you ought to go home; you ought to have it—Doctor Reed see you again,” and then he went away and I didn’t see him, and all the time I was asking about going home, nobody cared for answering for me to go home. That is all right, what is the use of it? but still I wasn’t satisfied, and things happened that was a little disagreeable to me. I can’t help it; we are in this world to act friendly and help each other as well as we can, ease and smooth what is wrong, but I found this was not the thing and it kind of hurt my feelings. For instance, Mr. Caldwell,—I wished to get shirts,—what I had was worn out and I needed new shirts, and he said, “Oh, you can wear them a little longer.” Other times things were sent to me in a little trunk,—clothes,—nothing was ever said about it at all; I wrote to Walters,—home,—my guardian, “this and this thing was expected, what is the matter?” and I showed Major Walker the letter which Walters wrote to Doctor Reed in regard to this, and there was nothing said about it, and when Mr. Caldwell said, “I don’t think you need it.” I told him, sir, it was a little hard for an old man—such answer was; it was a good many things,—inquiring about it, and either it was not attended to or answered in the right way,—how I thought it was right.

Q. Did you ever receive them?

A. Afterwards I received them, but not the trunk; the trunk was put away; it was said to be against the rules of the house. My little things, and shirts, and so on, I had to keep in bed. That trunk was mine; why could it not be to have a press in the wall that every one had things under his hands? I see that is so, for that was the understanding about it. I didn’t want to complain. I know to run such an institution is mighty

hard work, but still the attendants have their hands full in the morning cleaning up and putting things in order, and if you get something in your mind and want something and he is by the door, he says you may tell Henry, or tell John, or wait, and if you come again they say, "Oh, I have forgot." I have been told that many times, and so I would rather do without it, and the man who does such things and says things like that I would rather say nothing and leave him alone.

Q. How long was it after you went there that you requested to be discharged from the institution?

A. Oh, that was some years; I always had a longing—I can prove it by Kolb and Caldwell that I wanted to go home. Particularly, something happened that was very strange to me: I had a history of Germany, and was entire, for the work cost about, the amount, I think the number was thirty or forty cents, but I am sure it was to an amount of twenty-five or thirty dollars; but still some of the fellows or folks found it in the way, and Mr. Caldwell, he wanted it out of the way, and without questioning me. Then it was told me: "Your books are circulating in the other wards," and a man named Neustil, he brought me two leaves, you can see it, and the number was destroyed. That comes a little hard. What was the reason I don't know; wherefore, to think it worth while when such little things happened to try to find out about. I do not think it is necessary to do so. That is, not to me necessary so as to inquire about, but in a large loss like this—I have loaned books away, numbers and numbers, to persons in the building, and I am willing to do so, and they were returned again, but this was all destroyed; then to make nothing of it, I won't bear that.

Q. Did you frequently write letters while you were there?

A. Oh! yes.

Q. Requesting them to get you discharged from the institution?

A. Yes, sir; I done so.

Q. To whom did you write?

A. To Walters, and to my brothers, and others particulars, and once you was once here to visit me.

Q. Where does your brother live?

A. Erie.

Q. Do those other gentlemen live in Erie you wrote to?

A. To Walters and Kolb and so on.

Q. Do you know whether those letters reached their destination, the persons to whom you addressed them?

A. I made a mark in an almanac, a memorandum of all my doings, what was any special thing worth or so, and I made a mark to my understanding what it means. Marked all the letters that I wrote them, the meaning of it, the contents, what they are, and the date of it, and when I sent them, and when I received an answer from Walters' letter; and when I had a talk with him I found that the most of the letters didn't get to him. Then, another thing, I have no objection to it; it may be all right, but the feeling is this, for a man I had no secrets, nothing whatever. It is too bad you have to show your letter to any one who takes it in their hands to examine it; it is not a pleasant feeling to one who has character.

Q. Do you know whether all those letters that you wrote were received by the persons to whom you wrote them?

A. The most of them was not sent there. Didn't come there. I don't know.

Q. Most of them were not sent?

A. I don't know. I try my best to tell the truth. I found a young man who was willing to take them outside to another place, and then they came

home, and from that time there come an exchange. That was the beginning of it. Then others got interested, particularly Judge Galbreth, who was a great friend of mine. I knowed him when he was a little boy; that he wanted me to write a letter to him, so that he could see what spirit—how it was for understanding about it, and then he wrote to Doctor Reed that he wanted me discharged. On that account I got free, so far as I know.

Q. Do I understand you that you wrote a letter to Judge Galbreth?

A. Yes, sir, yes, sir; I did so.

Q. Do you know whether Judge Galbreth received it?

A. Yes, sir; he received the letter.

Q. Whom did you hand that letter to that you wrote to Judge Galbreth?

A. That was taken the same way that I told you. A young man, named Haver, was attendant in Dixmont.

Q. You gave it to him, and Judge Galbreth received it?

A. Yes, sir; he received it.

Q. How do you know Judge Galbreth received that letter?

A. Well, I was told so, and the next was this that he wrote to Doctor Reed requesting him to send me home—let me go.

By Senator McNeill:

Q. Was that on the strength of the letter you wrote to Judge Galbreth?

A. So far as I know.

By Senator Hart:

Q. Who is Judge Galbreth, and where does he live?

A. He lives on Sixth street.

Q. In Erie?

A. Yes, sir.

Q. Is he president judge of the courts of Erie county?

A. Yes, sir; and I knowed his father before he was judge.

Q. He is the president judge of Erie county?

A. Yes, sir.

Q. To whom of the managers of the institution did you ever communicate your desire to leave the institution?

A. Oh, my; it is not any worth while to talk about that. I told every one I wanted to go home.

Q. All—every one?

A. Yes, sir; Mr. Hengst, when he was there, and a gentleman named Mr. Morris.

Q. Did you ever speak to Doctor Reed?

A. Doctor Reed—I spoke to him in early times, but in later times he answered seldom. I understood he was very sick the last time. I have not seen him for four or five months. Not at all.

Q. Prior to that you talked to him?

A. I told him I should go; I spoke to the attendants, to Doctor Wylie, every one, I wanted to go home, just what I mean. Ask Doctor Diller, he knows it; I requested him that I was anxious to go home, he made this remark, "I see you are losing ground," that was his answer.

Q. You say you sent various letters to persons who never received them?

A. Oh, several persons.

Q. How do you know they didn't receive those letters?

A. Because they told me so.

Q. The persons you had written to?

A. Yes, sir; particularly Walter; they didn't receive it.

Q. After this spell of fever you say you had, what was your physical condition from that time down to the time of your discharge?

A. Oh, my physical condition is so often mentioned, that this question

of food what is used didn't agree very well with me, and I was used to a German table, just as our living, what Germans are used to, particularly soup, and so on; and then I was troubled with vertigo, that came on me occasionally without any warning; came suddenly on. I could not get up from the chair. I saw everything and knew everything; I could not move. It brought me in a sweat, and so on. You have your meals dinner time and breakfast time and supper time, and in the meantime you fast; and these attendants, they are very good so far as they are, but they have not that feeling, by no means, to go so far as that goes then and get me a little tea——

Q. Doctor, did you speak to Doctor Wylie about your desire to leave the institution?

A. I can't tell more than what I told you; I didn't see the reason why they kept me against my will in that institution; where I complained that I didn't want to control those things at all; but you see it was not for me, when I was used to German food and German cooking, particularly between times, when those things came on me, when I wished for a cup of tea or coffee for relief, there was none between times.

Q. Did they refuse you at any time when you requested to leave?

A. O, they said, "What for you will go away; why, you have a home, you can be satisfied," that was the general answer, or to get no answer at all.

By Major Walker :

Q. When you asked for something between your meals, would they give it to you?

A. No, sir; you could not get anything between; you had to wait for it; there is dinner and breakfast time, and there is supper time.

Q. Did they give to you the same kind of food at all times that they gave to the other patients?

A. Yes, sir; what came on the table, and then I made my selection what I thought was proper and right for me, took this and so on, and generally I had to do with very little, according to my circumstances, how I felt for it. Then I was troubled with constipation in the bowels; other times I was loose again. I had some pills for that purpose to keep me loose, and I used some coffee pills to stop that relaxation in the bowels. This was in the same way I mentioned to you; I told you the truth. A man in distress wants help, and to be put off and put off, and to wait and wait, and next answer was, "I have no right to go to the store; you have to wait; I am not allowed to go to the store."

Q. That is, when you made a request for medicine?

A. Wanted medicine and things—allow me this. I used the pills to open my bowels, and when necessary these coffee pills I used to use for the relaxation of my bowels.

Q. Did you always get those?

A. Just as told you, sometimes, and sometimes I had to wait. A man is in distress, and I had to wait. To give the best explanation call him, a man that is called Morrow, supervisor of the first and second wards. I asked him for it. I could not get it. He said, "I asked for it and I could not get it." Ask this Morrow. He knows a little more than that—that he was standing by my door seeing all the transaction, and particularly about these books. He was standing outside, and a few days afterwards he came to me and inquired how I was and how I felt, and was speaking about this matter. Inquire of him. I won't say more about it. I didn't like such business. It goes against me so much.

Q. Was you kept in the same ward of the institution all the time you was in there?

A. Yes, sir; with a short exception. I was in the fifth ward for a little while.

Q. Were there persons in the same ward you were in that were quite insane and violent?

A. Oh, not to say that. There was one sometimes went off, and another that was locked up. I didn't pay much attention to it. I thought it was not my business to inquire in this. Let them go. I kept always for myself. Most of the time I didn't go out, except I had to go to the table or to the wash-room or private room. Was always in my room reading, or doing one thing or another.

Q. Was you provided with all the books that you wished?

A. I had monthly journals, which were sent from home, sent to me, issued in Germany, and they were sent to me at the time they came out of the book-stores.

Q. Did you receive books from the institution that you read?

A. Oh, there was a number of books, but still I didn't make any use of it. Such hard kind of stuff I didn't like very well—reports from the Legislature and insurance companies, and all these things. My heavens, my heavens, you must have had a good stomach to digest this. I can't help it. It was not for me.

Q. That was the general character of the reading they furnished to you?

A. No, these things; every one, every one is allowed to go in to the book-case to take what he pleases. That is what I understood, and some days they was giving out some religious papers mostly.

Q. Did they give you historical works to read?

A. Histories. I have not seen any for my part, just as I say, I had enough to do with my books, with my own, they satisfied me.

Q. Had all the reading you wished?

A. Yes, sir.

Q. State whether you observed during your stay there, any ill-treatment on the part of the managers of that institution, towards other inmates of the institution.

A. There are remarks to be made, they are not very flattering what I think.

By Mr. Graham:

Q. What did you say? Did you see any instance of cruelty?

A. That I consider that was, only that an attendant was allowed to my knowledge to another person, I seen, to quiet an old man who was not bad, to squeeze his testicles, that I have seen, and then next he came to me and said, "See what I have got of these fellows"——

Q. Who was this person that it was done to?

A. It was a certain Mr. Morris; he was not so very bad either; he was hammering at the door, wanted to come out, and when they opened the door the attendant pushed him back, and throwed him on the floor and got hold of his testicles.

Q. That you saw yourself?

A. Yes, sir. It may be the doctor didn't tell them to do it, but still they did it.

Q. How long before you left the institution did that occur?

A. It was about a couple of months or so when this Mr. Morris was brought there.

Q. How long before you left Dixmont did this happen?

A. It happened a couple of months; I didn't pay so much attention to all this what happened around me. It is none of my business.

Q. Did you see any other such treatment inflicted upon any other patient?

A. Not that I know, they was saying they was badly treated, I don't know how true it was, but I heard them cry, which is true.

Q. Was there a German in that institution by the name of Thumm?

A. Yes, sir; so far as I know, we spoke German together many, many times.

Q. How long was he in there?

A. That is a thing what I cannot say.

Q. Was he in there when you came in?

A. I can't tell anything more, only I got a letter from a lady here—I guess I have it in my pocket—[here the witness produced the letter,] the answer I gave that letter I have a copy here. I wish to make a remark about it because these reports in the papers, they was not all how they ought to be, and I wrote that letter; she requested of me to know if the statement was right, and therefore I gave this answer.

By Senator Hart:

Q. Doctor, please go on and state what you know about this man Thumm, and about his treatment in the hospital.

A. Well, about his treatment, that was not my business; I never inquired about that, only he stated to me that he had a coal-yard and flour-store, and to keep his books and things straight, why, it bothered him very much; he had to stay up late every night, but he could not make it so that it impaired his mind, so that it impaired his health, which brought him to Dixmont. I understood then he said he had such attacks in the night he had to stand up in bed and keep his head between his legs. I told him not to do so, as it would increase conjection, but he should lay quietly, and one morning he came to my room. I saw he was wandering in his mind and I told him: "Go to your room and dress yourself, breakfast will soon be ready;" and so he goes into the hall and asked the attendant for a broom, and the attendant denied him the broom. It was not swept on Sunday, and he said to him, "Oh, you Dutchman," and shut him into the room, and soon after I heard a heavy fall.

Q. Did you see this?

A. Just as I tell you; listen to me. He came to my room and talked to me. I found he was not right in his mind. I told him to go to your room and dress yourself, breakfast will be ready presently, and he went out into the hall and met the attendant—who the attendant was I could not tell——

Q. Did you see him after that?

A. Let me go on with my story. The attendant denied him the broom to sweep and then he said, "Oh, you Dutchman," and pushed him back and locked the door, and after this—there is proof, as McMasters will mention here; he is now in the Warren Asylum, they lifted him up, and alongside of his face a bloody streak McMasters saw——

Q. Did you see this inside of the cell?

A. In the cell I was not; he was laying on the floor, laid there, and then McMasters he washed him——

Q. You saw that yourself?

A. My goodness, was he not dead—then he was brought over into another ward and soon after the news came the man died, but I can't tell if it was from the hemorrhage or whatever it was. I took it from this, that it was an over-balanced mind, it was deranged, and this concussion of

which I told you; he had to put his head between his legs on account of the queer feeling, and probably he dropped down; very likely dropped down and struck the table, and brought on a concussion. I tell that; more than that I was not able to tell. I was probably best for Providence for to remove him from his earthly troubles.

Q. After the attendant pushed him into the cell he didn't abuse him any further?

A. No, no; nothing, only he said "Oh, you Dutchman," and pushed him in the door. Then not long after I heard a heavy fall, and they opened the door and found the man prostrate on the floor, and Mr. McMasters washed off the blood, and then the man was brought into another ward, and then a few days afterwards word was brought he was dead.

Q. What you saw was the push into the room?

A. I give you nothing but fact.

P. Was it after the door was closed and locked you heard the fall?

A. Yes, sir; after the attendant shoved him in.

Q. How soon afterwards did the attendant go into the room?

A. As soon as he heard the fall.

Q. Did you go in with him?

A. No, I didn't go in; I was standing outside; there were so many when such things happen, they run all together; and Mr. McMasters was a very kind man, and always very good friends together, and they talked together, and so on, and he washed him off and lifted him up, and made him as comfortable as could be. The man was transferred to another ward, and then was out of our hands.

Q. A few days afterward he died?

A. Yes, sir.

Q. Can you relate any other instance of cruel treatment towards patients other than what you have?

A. I don't know anything about that; all I know is, when I was in the fifth ward Mr. Bogues threw me down on the floor and gave me a thrashing. I don't know what for.

By Mr. McKenna:

Q. Who?

A. Mr. Bogues, the attendant in the fifth ward.

By Senator Hart:

Q. You don't know what it was for?

A. No; I was on the privy, and he came at me and beat me, and threw me down. I recollect the time; if you can find Mr. Shakely, he saw it.

Q. Did he strike you?

A. He threw me on the floor and fell on me, with his fist, struck me, and everything, and I was sore for some time, and had to lay in bed.

Q. Had you got into a dispute with him about anything?

A. Not a word—not so much as with you—not a word was said.

Q. How long was that after you went to the institution?

A. Oh, that was in the first years; I was removed at my own request; Mr. Gable and Mr. Brown—there were such queer ideas came into my mind that provoked me, and I had to fight that Mr. Brown.

Q. Who was that Mr. Brown?

A. James Brown, of Erie. He was demented—perfectly demented; but he was quiet; but still, it was such a kind of feeling I had to fight, and I complained to Mr. Caldwell about it, and then he remained in the fifth ward.

Q. Did you complain to any of the physicians in charge about the abuse that this man had inflicted on you?

A. No, sir—no, sir ; I say I had different ideas about it ; that is a little too low for me ; better say nothing ; keep it for yourself, and bear it.

Q. Why did you keep quiet ?

A. Because it is my disposition ; I have borne so much in this world ; believe me, when you get my age, and have borne so many trials, you will become a little soft, too.

Q. Did this person that inflicted this injury upon you remain in the hospital any length of time as attendant—this person that abused you ?

A. Oh, yes, so far as I know, he is in the fifth ward from the time I came until not long ago. Once in a while he passed the second ward and carried medicine and so, and then he came to me and tried to talk to me, but I gave him a plain answer, just what I call formality, not to make any bad show.

By Major Walker :

Q. What is his first name ?

A. Frank, I believe.

Q. Is he still there, so far as you know ?

A. Yes, sir. Then I give you another instance about that about me keeping quiet. I know there is Mr. Ducktail, who used to be in Williamsport, that he exchanged papers with Mr. Boggs, and I myself, that is, once in a while, and told for me to tell Boggs that he had sent the papers so and so. I never said a word about it. Oh, I mentioned it, just made a report to him and be done with it, to show that I had no bad feeling, and didn't like to make any ado.

Q. Did you ever, at any other time, receive any abuse ?

A. No, sir.

Q. Do you know of persons being retained in that institution who were not insane ?

A. Oh, insane—there is different classes about that ; it depends are they bad or if they are peaceable. If they are harmless, I should think to let them go if he does no harm.

Q. Do you know a man named Pershing ?

A. Yes, sir ; I do.

Q. What do you know about him ?

A. Oh, he was always friendly. In religious matters he was very curious, but let him have it. There was no harm done with him. Let him have it his own way. I didn't dispute with him. I talked, and it was always friendly. I didn't go to church on account of sore feet, and be brought me generally the text, and what was preached, and so on. He was generally a harmless man. Then he asked me, briefly, why I didn't take medicine we have here. I wasn't fit for it, and he asked, "Doctor," he said, "your people don't want you in there." That was his reason—his complaint. Wherefore keep a man against his reason. I didn't take any medicine, or take any medicine that was bad. Why can't they let me go home. I didn't inquire about it what I mentioned before always. I let every one go. What they told me I knowed, otherwise I didn't inquire about anything.

Q. Do you know a man in there by the name of Constantine Neustil ?

A. Yes, sir.

Q. What do you know about him ?

A. Oh, there was something he told me that his wife was deluded from him—this and other things, and so on, a good many things. I often pacified him, and told him to keep quiet and think only this, that you have children, and the father of your children, and that you come home, keep quiet ; and then he was complaining about papers, and he wrote about the

circumstance that he was able to do it himself, and how things was. I would not like to keep it in my hand, and would not be bothered with it.

Q. Do you think he is insane?

A. No, sir; I won't say that man is any such thing. From what he told me, he told me his coffee was poisoned.

Q. It was not in the institution?

A. That was when he was at home yet. I told him, "You say your coffee was poisoned. You was only saved. Thank God for it. A kind Providence will save you and save you for your children, and then forgive your wife, too. Perhaps she didn't know what she was doing. We are all liable to error. Maybe you have done something that brought her out of the way." Then he accused his wife of wanting to poison him. He said that his coffee was poisoned.

Q. By his wife?

A. That is more than I able to say.

Q. Before he came into the institution?

A. Certainly, certainly; he was working in a woolen factory, and so on.

Q. Did you know a man, when you were in Dixmont, by the name of Jacob Dunkel?

A. Yes, sir. Oh, there is not much to say about it.

Q. Did you ever see Mr. Dunkel maltreated or abused in any way?

A. No, no; not that I know of. On the contrary he was very much of a favorite, always helping work, dusting, cleaning up, and so on. He was always busy with one thing and another.

Q. Do you know a man named Knapp, who is from Pittsburgh, I think?

A. Yes, sir.

Q. Just tell the committee what you know about him.

A. He was a fool; didn't know what he was doing; one brought up too big; and I told him you could see by the rose in his face that he was too well fed. I told him he had better sell his store and go to work a little harder, and get married, and get a little trouble; he was a fool.

Q. He was full of fun; used to make the men dance.

A. I was astonished by Mr. Paul; he was an old man, and he got him by the shoulders and danced him around like a little child. I was astonished that Mr. Paul allowed him to do so.

Q. I will ask you if you knew another man there named George Hoeffler.

A. That was an attendant in the first ward. He used to come once in a while in the evening. He and Neustil was sitting together talking about the old home, just for company's sake, talking of Germany together; used always to be very well pleased, and through this I got acquainted with the circumstance that he would like to go to Germany.

Q. Doctor, did the attendants or physicians at any time allege that they had you confined in one of the wards there for fear that you were going to commit suicide?

A. I don't know what to speak with respect to that, but still I found it in the paper. There was a statement made that I had swallowed glass, but still how could I do that. Why should I? I had nitrate of silver, thirty grains, which I had for my feet; and a good many times I shaved myself. Dozens and dozens of times the attendant would say, "Oh, doctor, I hate to shave you, I hurt you too much," so he gave me the razor, and I done it dozens and dozens of times.

Q. Who was the attendant gave you the razor?

A. That was Ross Keller, and then others, too.

Q. Just name the other attendants; what were their names?

A. That is what I am not able to do ; what I am very poor about names, and ages, and such things.

Q. If you had desired to have committed suicide you had ample opportunity ?

A. Oh, my, dozens and dozens of times. I never had an idea about it ; I tell you the fair truth. That I once tried at home, when I was at home in the house and found all these folks what are there, that I thought, " You are in the way of every one," and then I took some morphine ; but that was an attempt, but never any after that.

Q. Did you consider you were perfectly sane when you went to the asylum first ?

A. A sane man just so far as that I had these ideas ; it looked strange. For instance, it happened to me one thing by Doctor Brendecker. He said to me, " If you will smoke a cigar I have got one," and he gave me a cigar. I didn't like to go on the street. It was early, and then I went out and sat at home, and lit the cigar and smoked away ; and there was a woman, who was formerly a hired servant girl in our house and got married, and after my wife was dead I took her in my house ; and she had a child, and the child was lying in the other room asleep, and it came into my mind that I should take them ashes and put it in the eyes of that little child. My goodness, I thought, what is this ; such strange ideas. That brought me out ; I didn't trust myself.

Q. How long had you remained in the asylum until you were perfectly sane ?

A. That was in the time it had a great deal died away by the use of that medicine. Taking that and so on, I found out myself that nobody is a better physician to a man than God and himself.

Q. You don't understand me ; how long were you in there before you were sane ?

A. About a year or so ; so long as I took that medicine.

Q. Then after that ?

A. Then I quit taking medicine, except my pills for constipation, and these coffee pills for looseness of the bowels.

On motion of Senator Hart, committee adjourned till February 24, A. D. 1883, at nine o'clock, A. M.

And now, to wit, February 24, A. D. 1883, committee met pursuant to last adjournment, at nine o'clock, A. M.

Present : Honorable J. J. McCrum, chairman ; Senators Hart and McNeil ; Representatives Graham and Walker ; C. F. McKenna, Esquire, for the respondents, and the hearing of witness proceeds.

Dr. CARL SEVIN resumes the stand, and examination continued by Major Walker :

Q. Now, doctor, you stated yesterday, in reference to Mr. Thumm—you remember of testifying in reference to Mr. Thumm yesterday ?

A. Yes, sir.

Q. I wish to call your attention to this particular case this morning, and to have you restate here just exactly what you saw in reference to any violence that was shown to Mr. Thumm, when he asked for a broom, if you remember that circumstance.

A. Yes, sir ; it is all right, just what I mentioned to you ; it is the same thing ; he was not abused, except when he asked for a broom ; the attend-

ant denied it to him ; there was no sweeping on Sunday, and he pushed him in the door, and soon after we heard a noise, and went to see if there was any one hurt in there, and himself was lying prostrate on the floor, and Mr. McMasters, he is near by—he lives in Warren—he washed the blood off his nose ; he was near by, and he saw it when the door was opened, that he was lying on the floor, and that he needed help, and he lifted him up and washed the blood off, and then the man was taken up, and was transferred into another ward, and a couple of days afterwards—we didn't hear anything more—a couple of days afterwards, there was a report came that he was dead.

Q. Doctor, did you see Mr. Thumm before he was put in his cell ?

A. Yes, sir ; he came to my room and talked to me, and what I see then, I find out by his talk that he was wandering.

By Mr. McKenna :

Q. That he was wandering ?

A. Wandering in his mind. By his curious talk I found out that he was not right, and I told him, “ Better you go to your room and dress yourself ; breakfast will be soon ready ; ” and then he went out into the hall and he met an attendant. Perhaps he never would have thought about it ; it came into his mind to sweep—it was morning, and he asked for a broom, and the attendant said, “ Oh, you Dutchman ! ” and pushed him into his room. In my mind, it was brought on by being overtaxed by working so hard—his disease.

Q. When McMasters washed his face was he sensible or insensible ?

A. Not very sensible——

Q. I mean was he conscious, not was he sane ; had he consciousness ?

A. He was in a stupor, since he didn't know anything about it.

Q. Doctor, you testified in reference to Constantine Nennstiel, a Saxonian ?

A. Yes, sir ; a German school-teacher.

Q. Did you know him very well when you were in the hospital together ?

A. Oh, we were, most of the time when he was not removed to another ward ; once in a while this was done.

Q. Was he an educated man ?

A. Oh, yes.

Q. Was he a graduate of the university ?

A. Not a university : just like the school-teachers in our country ; he was a fine musician ; you should have heard him play at the melodeon. I often spoke to him, “ Now, thank God you are able to do it.” When he talked to me of what I had done to him I told him that “ you repay me more than enough, to play what I hear from you.”

Q. Doctor, did he ever tell you why he was confined in Dixmont ?

Objected to.

Q. Do you know where he is ?

A. All that I know, we had a letter from him some time ago about a fortune which I think is in your possession. It is mailed from Glenfield, and that he was begging very hard——

By Mr. Graham :

Q. Did you say the letter was from Glenfield ?

A. Was mailed from Glenfield.

By Major Walker :

Q. Doctor, do you understand that Jacob Dunkel is still in the asylum ?

A. So far as I know, but he was very peaceable, never doing any wrong.

Q. Doctor, these reporters, these very gentlemanly fellows we have here to assist us, have reported you as saying in your testimony, yesterday,

that at one time you took a drug or drugs for the purpose of committing suicide; do you wish to be understood that you did take drugs to kill yourself?

A. Yes, sir; that is what was the one time Doctor Brandis knows about, and I told him what caused me to do that, but still, I wasn't in my mind, it was all topsy-turvy; I thought it was right to put me out of the way; I thought, "You are in the way of every one; nobody wants you; you have seen how you are, even in your own house, you are not at home." Nobody knows what comes in the head at such times; it was the only time that happened.

Q. Doctor, were you sane at that time?

A. Doctor Reed told me,—you can ask him,—that was his very words, in his office, that I was not—

Q. No; you don't understand me; at the time you attempted to commit suicide, that was in Erie, was it?

A. Yes, sir, that was in Erie.

Q. Were you of sane mind at that time?

A. I don't call that I was sane; it was not clear judgment. I understood when I did it; I thought it was right.

Q. Were you sane enough to remember that you deliberately took this drug?

A. Oh, yes, so well as I am here.

Q. What kind of medicine did you take?

A. I took morphine. I told Brandis, and as soon as I commenced taking it and it affected a little, I commenced to take coffee.

Q. How many grains did you take?

A. Three grains.

Q. When was this?

A. I guess it was about a year or so after my wife was dead; she died in 1873.

Q. Doctor, did you ever read an article that was published in the *Erie Herald* in reference to an alleged interview between you and a reporter?

A. Oh, I didn't pay much attention to it.

Q. Did you ever read it or have it read to you, so that you know its contents?

A. I know something about it, but I didn't pay much attention to it for my part.

Q. Did you have an interview with a reporter here in Pittsburgh, in which you stated to the reporter that the article in the *Erie Herald* was not true?

A. I told him so the second time when he had that statement in his paper that it was not right, and that I would correct it.

Q. The reporter said it was not right?

A. The *Dispatch* man was there, took a letter I had from Mr. Baer; he mentioned one thin and another. I told him you are not able to report, because all your statements is not what I have said.

Q. Did you ever read or have read to you, a reported interview between the editor or the reporter of the *Erie Evening Herald*—did you ever see the article?

A. Yes, sir; I have seen the article.

Q. Did you read it?

A. Not all, because it disgusted me. I didn't like it because it was so much change in, I didn't like that.

Q. State whether you ever read that [paper shown witness] or had read to you so far as you know. Do you know what its contents are?

A. Mr. Kolb generally brought the papers, so that I would not be bothered with it, because I found all the statements was not what I said; I don't like you can depend upon that what I have told you.

Q. Did you ever see this until Mr. Kolb brought it to you?

A. Not before. Kolb generally brought it in the evening or when he happened to pass by, he brought me this paper, and spoke about it, and when I commenced reading it I found it differed so much from my opinion that I didn't like to read it, and let it alone.

Q. What is there in this article that is not true?

A. It is exaggerated. Put names in I don't understand; I never used any such language, and make it also a big matter, fearful, and all; I don't like that.

Q. Will you just state what it is—what particular part of this article you allude to as not being true? You can refer to it.

A. I think, dear sir, what I mentioned was sufficient; it was just necessary to explain that what is right; I told you the truth, and I didn't wish to be bothered with these lies altogether.

Q. We don't want to annoy you any way at all, but just simply to get at the facts.

A. We talked about it. That head of it here, [referring to the headline of the article,] that article, if I read this, och!—

Q. This article refers to Mr. Thumm that you have testified about?

A. Yes, sir.

Q. Is the report in this paper in reference to Mr. Thumm as you reported it?

A. No, sir; it was said he was "slain." I never made that expression; that is what I understood, at least I saw it in one paper; if it is in this I can't state. [Here the article was read to the witness.]

Q. "There was in my ward, and next room to me, a young German named Thumm, from Allegheny or Pittsburgh"—

A. Opposite my room he was.

Q. "He used to come to my room often, made a confidant of me, and what he told me I kept to myself, for at first I didn't know but what his complaints were unfounded. He said he had been keeping a coal and flour and feed store"—

A. A coal and flour store I said; from feed store I don't know anything.

Q. "And had some means which he had acquired in other pursuits. He had a wife and six children"—

A. He had one daughter, so far as I know, a girl thirteen years old.

Q. You don't know whether he said he had six children or not?

A. No, sir; he has not said so; I never said so.

Q. "In keeping his own books he overworked his mind, and by constant study in the evenings he became so perplexed he could not come to a conclusion, and on that account was sent to Dixmont for treatment. He told me that at times his head hurt him so that the only relief he could get was to get up in the night and hold his head between his legs"—

A. I told you that he said he had to get up in the night and stand on his legs and hold his head between his legs, and I told him not to do so, because it made more congestion in his brain.

Q. "One Sunday morning he came to my room and I told him, after we talked a while, that he had better go to his and dress for breakfast. While on his way to the room he met the attendant, whom he asked for a broom, as he wanted to sweep his room, which, of course, would have been a violation of the rules; but instead of treating him kindly the attendant said: You dirty Dutchman, go into your room'"—

A. I said he said only "You Dutelman, go into your room," and he pushed him in.

Q. "And gave him a brutal kick"——

A. No, sir; no, sir; I just seen that he pushed him into his room, so as to have a chance to have him inside, and locked the door.

Q. "This I saw, and after Thumin went into his room I heard a noise there, then a heavy fall. When relief came the poor fellow was found lying insensible on the floor in a pool of his own blood, having struck his head in his fall against a piece of furniture, cutting a fearful gash in his face"——

A. It just was the nose—alongside of his nose.

Q. "James McMasters, a patient now at the Warren asylum, and from whom I received a letter a few days since, took the poor fellow up and washed him; he was then transferred to another ward, where he died in a few days;" ain't that practically the testimony you have given?

A. Yes, sir. What I refer to, that what was not said and mentioned in it, when he came to my room I found that he was not right, and I told him to "Go to your room and dress yourself, it is pretty near breakfast time," to get ready, and then when he went out in the hall——

Q. Never mind that; I want to ask you whether this report, which I have read to you, is not practically the same that the stenographers got down?

A. Well, it is part; but such expression, "dirty Dutelman," that is outrageous, and the words "pool of blood."

Q. Didn't you say that you saw blood?

A. I said he had a streak along his nose; it was bloody; but a pool of blood, I expect, is a little more than that; that is one thing.

Q. With that exception, is not this report here the same as has been taken down in the stenographer's notes?

A. Well, just what I have told you. I beg your pardon; but to take just what I have told you what they say; I have no respect for them, not a bit. It is not to my notion, not my language how it is.

Q. Doctor, I will read to you what the *Herald* reporter says in reference to Samuel Pershing. I wish you would remember this as I go along: "Samuel Pershing, of New Florence, Westmoreland county, was often in my room, and is a very fine man; he is to-day a prisoner, and is kept there against his will."

A. That is so.

Q. "When he asks the doctor why he can't go home, he is told his people don't want him; and then, when his friends come to see him, they are told by the doctors that he is not able, not fit to go home. He is an accomplished man, and deserves a better fate. He is as sane as any man living. When Doctor Dilli Luther, of the State Board of Charities, visited my room last September, I told him I would like to see him after he had made his rounds. He promised me that he would call, but his escort hurried him away, and that was the last I saw of him. I was afterwards reminded by persons of the fact. We frequently noticed that visitors were hurried along before they had hardly an opportunity to exchange words. In this way the officers of the institution keep the public blind."

A. That is partly true and partly not true.

Q. Tell me what is not true.

A. Well, I did, likely, in regard to Pershing, say that I considered him a good man, that he is harmless, that he has a great desire of going home, and complaining about——

Q. What part is it that is not true?—what part of this I just read to you

is not true. Didn't Doctor Dilli Luther, of the State Board of Charities, promise you that he would come back?

A. The worst is just what I have mentioned; a number of times when he came there I spoke to him, "Doctor, I want to go home; I am wasting away from day to day; my dress gets too wide on me; I am wasting every day." Says he, "I see you are losing ground, you ought to go home and shall have it; I will see you again this evening."

Q. Did he come back?

A. No, sir, and Pershing was standing near by: I didn't pay any attention to it; I didn't put any opinion on it at all, and he mentioned this,—he was a very strict man in that way,—“Doctor Luther, he promised to see you, he has not done it; I don't like that from the man.” That was the amount of it; heaven knows what was the reason he could not come.

Q. While you were in the institution there, was there any violence of any kind used towards Mr. Pershing?

A. No, sir,—no; but only said that he felt aggravated that he was kept and didn't know, really, what for. He didn't take any medicine, and his family wished him home and he was denied to do so; he didn't know what was the reason.

By Mr. Graham:

Q. Do you regard Mr. Pershing as sane or insane?

A. Oh, that is another thing, how it is, that you can make a person insane; every one, as is the case.

Q. Do you know whether he is?

A. No; he has not acted anything wrong that you could call insane. he has, in religious matters, his own views and so on, but let him go. I never interfered with it; and then he used to come to me on Sundays when he was in church and brought me the text of the sermon that was preached.

By Major Walker:

Q. "Now, there was my friend, Constantine Nennstiel, a Saxonian, from Johnstown, Cambria county"——

A. That I make opposition to,—“my friend Nennstiel,”—that is an expression again never should come in, not to be so named. Just—he came to me, I was a German, and we talked German, and talked together—but that was so—my heavens, no.

Q. "He has been shut up there two years and is, to-day, sane as a man should be. He sings and plays admirably and talks intelligently. He was a school-teacher, and has a fine university education."

A. Not a university, only what we call a college——

Q. "His wife was deluded from her marriage vows, hence his trouble. When he remonstrated with her and became greatly excited, he was arrested and committed to Dixmont, where his expenses are being paid by two men, who are his wife's paramours."

A. That he told me a number of times, when he got so wild that I often told him to be quiet.

Q. "He is very anxious to go to his children, six in number, and whom he loves dearly. He takes no medicine but is made a slave of and is compelled to keep the billiard-room and wash-rooms clean, and scrub around the institution. He works very hard."

A. That is the same story over again; kept for a slave, kept for working, he does it by himself. He is called "Constantine, come here, do this, come here and do that, so and so;" he is willing to do it, but why he does it, to have the good will.

Q. Now I read you: "Jacob Dinkel, of Allegheny or Pittsburgh, the proprietor of a liquor store. He has been kept there for years, and like

over sixty of the patients, being perfectly sane, he is no more nor less than a prisoner, and should be given his liberty, but will remain so long as his money holds out or till other circumstances change in his favor"——

A. About sixty sane persons; that is some more like this other. That was only what was said so. Still I knowed such and such person is sane enough, from what I have seen. Even from Dinkel I hadn't much conversation; we was talking together, good morning, and so and so, and if we had anything to say we was talking it over, but we hadn't intimate friendship and intercourse; there was no such thing.

By Mr. Graham:

Q. Doctor, do you say there were sixty sane persons confined there?

A. So I was told from Nennstiel; he was very much acquainted; you see he was a cunning fellow in many things, he found out this and that and told me these stories. I often told him, "Keep it for yourself; I don't wish to hear."

By Major Walker:

Q. "Knapp, of Pittsburgh, recovered, and being a man full of life, was so mischievous that Dr. Wylie had to send him home, for every time he caught a doctor or an attendant, he being a very stout man, would seize them and engage in a round dance, and indulge in other antics at their expense"——

A. Well, he was pretty lively, he was pretty high-spirited, and always full of fun, and would go dancing around, even as an old man that is there, Mr. Paul; he was a very nice man and danced him around, when he was in his tricks. In his ward, a man who happened to come going through the hall he would meet him and dance him around; he danced Mr. Paul around, too.

Q. Did you ever see him dancing Dr. Wylie around?

A. That I can't say for sure. He was very lively, so that, as I told you yesterday, that I gave him advice to go home and sell his store and get a piece of land, and work harder and get a little trouble; then to look at his face, it was full of pimples, that is a sure sign he has too much stuff in him, too much blood.

Q. Doctor, do we understand that the patients are very guarded in what either they say or do to the attendants—are they afraid of the attendants in any way?

A. Not afraid, but still they are kind of stiff; not that kindness I like to see to be in them, you see it, you feel it, there is a sort of kind of atmosphere that will be felt and not spoken of, stiff, as if "I am an officer, that is enough."

Q. Just go on and explain that.

A. I can't tell more than just what I tell you. That is, too stiff for me—it pushed you off; they speak no more than what is necessary, not in that terms, as if you would give a friendly hand and shake hands—that you feel you are an inmate, and they feel for you. They do their business, and so on, and not more.

Q. You didn't have freedom enough, I understand you?

A. I had no notion to do it; I kept my room, generally, myself.

Q. But I mean the patients generally; did they always feel at liberty to talk with the attendants?

A. They talked among each other, and even with the attendants; if you want anything, it is answered; some of them are more acquainted with them than others.

Q. Would have told the attendants or physicians any of their troubles, if they had been misused or hurt at all?

A. That I don't know, if they would do it; that I can't tell; that was not my business; I kept the rule; keep for yourself, and you have it for life.

Q. You stated yesterday, in regard to some maltreatment you had received from some attendant, which you didn't report to the other attendants or the physicians?

A. No, sir—no, sir; I didn't like to report it, because it was no use.

Q. Why was it of no use?

A. Why make a noise? It was done; it wouldn't remove it.

Q. That is what I am trying to get at.

A. It won't remove it.

Q. How do you know, if, after you had been maltreated, you had reported it to Doctor Wylie, that he would not have seen you properly protected?

A. Oh, my goodness—my goodness, it makes too much trouble; better keep quiet, and let it go; the past is past.

Q. Did you ever see Doctor Stewart, of Erie, at Dixmont?

A. Three times that I mentioned to you.

Q. Did you see him more than three times at Dixmont?

A. No, sir; but it is reported that he was there about ten or twelve times; but I have never seen him more than three times; it was very short.

Q. Doctor, in the interviews that you had with Doctor Stewart, where did you see him—whereabouts in the hospital?

A. In my room; one time he was in in the evening, when I was just in the act of going to bed.

By Senator Hart:

Q. What was the name of the attendant that carried the letter out that you say reached Judge Gilbraith?

A. Hoeffler.

By Major Walker:

Q. Just go on about Doctor Stewart.

A. I was just in the act of going to bed, and then came Doctor Reed and talked to me; the second time he was alone with me in my room; and a third time he came on to the door of my room, and said (that was early in the morning, and one of the attendants said, "Dress yourself up, there is a gentleman wants to see you;" and so I did)—and Doctor Stewart said then, he said he had to operate somewhere, I think, in Berks county, that he hadn't much time, and went away again, and that is all I have seen.

Q. How long would he stay with you—how long did he remain with you each time?

A. Oh, just a few minutes, a few minutes.

Q. I want to ask you this question: At the time when Dr. Stewart came to the hospital, either one of these three times that he was there, that you say you saw him at the hospital, in any conversation that you had with Dr. Stewart, did you ever say to him that you preferred to stay at Dixmont, and didn't want to go home?

A. No, sir; that I never have said, and all the circumstances what I have told you what has drawn me to Dixmont—my good God, there was plenty of circumstances.

Q. Did you say you preferred to remain there the balance of your life?

A. No, sir; never.

Q. Did you ever make such a statement as that to any person in there, Doctor?

A. No, sir, no, sir; I could not do that, because it would contradict that—

By Mr. Graham :

Q. You are represented as having said there, in one place, there are sixty persons confined in Dixmont who are perfectly sane.

A. Yes, sir ; whoever stated it. I have heard it from Nennsteil. He told me so. I have not seen it.

Q. What do you know ?

A. Just what I say. There was Dinkel, and Pershing, and Nennsteil, and so on.

Q. Do you regard a number of them as being sane ?

A. They complained about being kept there for no use.

Q. In your judgment, were any of them not insane ?

A. In my judgment, they were sane—to do no harm and to be fit for doing business.

Q. Were they sane enough to be out and around ?

A. I have not been so close, only what I have mentioned already, only what I heard. I gave them advice to let them go. I didn't care about them ; wasn't my business.

By Major Walker :

Q. I will ask you if you had opportunities, when you were at Dixmont, at all times to see a physician if you desired to do so ?

A. Oh, no ; I had no desire for it.

Q. If you had, if you would send for them, could you see them whenever you would send for—suppose you desired to see Doctor Wylie ?

A. Oh, my ; I had no use for him——

Q. Suppose you wanted to see him, and you sent an attendant to see Doctor Wylie ; would he come ?

A. I believe not, sir ; that was there the case that he could not be found. That is the general answer. These attendants say generally, "Don't bother me, let me alone."

Q. What was the reputation of Doctor Wylie in the institution—was he a pompous sort of man, or was he very meek and mild generally—what was the general understanding ? Tell it just what you please.

A. No ; I wish to be excused.

Q. No, no ; we would like to have an answer to it. Just tell the truth. You are perfectly protected in every answer which you make.

A. What I told you. I thought that was a little bad kind of way he treated me in regard to those books. I felt very much provoked. I didn't think a gentleman in such standing would allow himself to go in that way against me, because I hadn't given him any shadow of cause ; always was friendly to him, and he knows it himself. We talked on friendly terms from our profession, and once in a while short in his way, but when I complained about the books he made remarks. "What little things—ought not to talk about," and then he went on to say that I had given away the books. In the first place they was in the way of Mr. Caldwell, and then he said I had given them to Jim Brown, who is a man perfectly demented once in a while. I had given him, once in a while, numbers of Leslie's *Sunday Magazine*, but those he returned to me. Some ways we would get along very well, but I never had idea——

Q. Doctor, what we want to discover, is, what kind of attention the patients received there ; what kind of attention it is.

A. Better you employ others. I think I have talked—particularly this Nennstiell. He was complaining very particular that he thought he was abused. I told him to keep cool, and keep quiet, and think about your children.

Q. Who is that ?

A. Nennstiel.

Q. I am talking about Doctor Wylie.

A. I know, but Nennstiel is very much opposed to Doctor Wylie. He thought he kept him away from home.

Cross-examination:

By C. F. McKenna, Esq.:

Q. Weren't you found by a jury of six men and a physician's testimony, in 1874, to be of unsound mind?

A. No, sir; it was my own request.

Q. A Mr. Kolb appointed a committee of your estate?

A. Appointed him as guardian.

Q. Mr. Conrad Kolb appointed a committee of your person and estate, by the judge of the court there, and in pursuance of his appointment, didn't he take you to Dixmont and place you there?

A. Not, never. He had only a writing from me that I just said in that paper, as a paper of attorney, you know, that I put him in the place of myself, that he could act and do——

Q. Doctor, were any such proceedings had in your case at all, did he anything?

A. I don't know. If it was done, it was without my knowledge.

Q. Was there any notice served on you?

A. No——

Q. Might not have that been at a period of time when you were so distressed and disheartened, that you would not know whether a notice was served on you or not?

A. All what I know, I don't know so far out of the way, that I know what happened; all I know that Kolb was a couple of years guardian, and that we objected to it, and then my brother wrote me a letter that he thought he didn't act right, and then Kolb was put off his guardianship, and it given to Mr. Walters.

Q. Then you say you were not sent there by reason of the finding of any commission—that you went there voluntarily?

A. On my own account, and I always said so, never have stated other.

Q. You don't remember of empanneling of a jury in your case?

A. Not at all, only what I said now.

Q. Doctor, did you know Doctor Brandis, of Erie?

A. Certainly I know him.

Q. Do you remember of his certifying that you were a proper person to be admitted to Dixmont?

A. No, sir. It was by his saying that he wrote in that way when I came in—— I came here to Dixmont at one time with Kolb, and applied to Doctor Reed to have admission to the institution, but I had no papers, and he said he couldn't do so, and sent me home again, so I staid at home until I found things what to do; and he said "I give you a statement," and it was signed by him and Doctor Spencer.

Q. These two physicians, didn't they swear to it that you were insane?

A. If they swore to it I don't know.

Q. Don't you know that the laws of the State, and the rules regarding them deny admission to any person unless on the affidavit of two physicians, that they are proper subjects of admission; wasn't that the reason you were refused?

A. Certainly that was it.

Q. How long was it after your first visit there that these doctors made the affidavits?

A. It was about four to six weeks, I think. I thought just to go there,

just like a patient goes to a doctor; that when I felt so and so, I wanted to be helped, if you can.

Q. Then Doctor Brandis and Doctor Spencer, of Erie, they were both friends of yours?

A. Oh, yes.

Q. Old acquaintances?

A. Yes, sir.

Q. They made affidavit for your admission into Dixmont?

A. Yes, sir.

Q. Did you ever write to them while you were in Dixmont?

A. Only once; I wrote to Doctor Brandis, who was always so engaged, and thought it wasn't necessary, because I wrote to my guardian, and they were exchanging this and that; Kolb always went to show him the letters I wrote to him.

Q. Don't you know, Doctor, and didn't you know then, and know now, that your committee could take you out at any time, as he did finally?

A. My opinion was this: I come of my own free will, just as I would to any other hospital, and, just as soon as I found it convenient to be relieved, to be discharged, I could. That was my impression, to tell the truth.

Q. This letter of Judge Galbraith you spoke of yesterday, you didn't see that?

A. He wrote, once in a while, letters to me—very kind letters.

Q. Did you see the letter that he wrote finally?

A. To Doctor Reed?

Q. Yes, sir.

A. No, sir; I have not.

Q. Didn't Mr. Walters, your committee, take you out finally—Jacob Walters, of Erie?

A. All was this, what I understand: I had to write to Judge Galbraith, that he could by my writing see the condition of my system; on that account he would give Doctor Reed a writing, and relieve me; that was the reason. Mr. Walters spoke about this to Brevelier, who came and took me away.

Q. Took you away on the orders of Mr. Walters?

A. So far as I know, it was on the writing of Judge Galbraith.

Q. That is the writing you didn't see?

A. I didn't see; but I understood what I have told you.

Q. And you were, finally, on the letter to Doctor Reed from your committee, given to Mr. Brevelier?

A. Name it just how you please. It was done by Walters—well, by Judge Galbraith, when he considered me sane enough to relieve me and take me home; and, therefore, Mr. Brevelier was sent to take me out. That was on the 4th of January.

Q. You have no home in Erie?

A. I own a lot and house, but it is rented out; therefore, from that I get my keeping.

Q. You are boarding, however?

A. I board with Mr. Fisher since I left Dixmont. Mr. Walter, he made it out for me. They are very kind since that time; I have just my desire, and what I wished for long ago. I feel better all over, particularly my digestive organs, they are in a better condition. I was always troubled with costiveness and relaxation; that has now left me.

Q. Doctor, down at Dixmont I understand you kept yourself very quiet, and didn't interfere with their rules at all, did you not?

A. Anything that I know; I don't know how I could live decenter and more modest; I don't know.

Q. You didn't want to break any of their rules at all, or anything of that kind?

A. Not that I know.

Q. Doctor, do you remember this time that you say the attendant shoved you down onto the floor and dragged you into your room, that you described yesterday?

A. He throwed me down on the floor; it was in the hall; I was on the privy; think about as much as about any one of you; he throwed me down on the floor.

Q. Who was that attendant?

A. Frank Bogue.

Q. Doctor, don't you remember at that time of having a spell on you, by which you smeared your head and clothes and all with matter from the privy?

A. No, sir; I don't—

Q. Do you remember that you did do that?

A. I didn't do that. Just what I said; I didn't do that.

Q. And smeared your clothes and some of that on your hair?

A. I didn't do that at all; no, sir; no, sir.

Q. Wasn't that it, and wasn't that why the attendant dragged you into the room?

A. It came so as I told; so unexpected he throwed me down just as he could; and then, allow me this, my dear sir, so far as I learned things he had no right to do it, even if I did do anything wrong.

Q. This difficulty occurred on the privy?

A. On the privy.

Q. How long had you been on the privy at that time?

A. Oh, my heavens! to give you an account of that is just as much to give you an account of what I have eaten last year.

Q. You deny you put any of that on your hair?

A. No, never have done it.

Q. Never have done it?

A. Never have done that.

Q. Do you remember about what time of year that affair occurred; what time of year it was that affair with Frank Bogue?

A. It was the first year I was there; not certain of time.

Q. Did you keep a diary?

A. A day-book, just to put the kind of weather it was, and if anything happened about letters received and letters sent, or clothes and so on.

Q. Did you put anything down of this treatment of Bogue's?

A. No, sir; no, sir; it didn't come to my mind to put such things as that.

Q. You made no note of it?

A. Of no such things; didn't want to remember; didn't like it.

Q. Was this man Bogue the only one that ever treated you rough?

A. What I know.

Q. You say this is the only one that ever did you any personal injury?

A. Yes, sir.

Q. And that is about the only case where they laid hands on you?

A. That is what I know.

Q. Then these other statements that you have been making are hearsay, are they, from other patients?

A. That is mostly from hearsay; I didn't pay any attention; they are

mostly hearsay. If there was any saying to me about it I would told them to keep quiet.

Q. Do you believe those stories so told you?

A. Ah, just as how you read a newspaper; it may be so. I don't know if they are or not; I didn't pay any attention.

Q. Didn't you find many of these stories that they told you unreliable?

A. Oh, I don't care; my principle was to sweep your own door.

Q. Didn't some of these men talk to you, and tell you such extraordinary things that showed to you yourself they were off?

A. I always shoved them off; let me alone.

Q. Doctor, please give me an answer to that if you can. Of course, if you can't, I don't want it.

A. My dear sir, I don't know otherwise——

Q. In your talk, say to Pershing, and say to Thumm, and to Ninestil, and Dunkle, and Knapp, and these men that you have referred to, do you mean to say that they never told you anything that was extraordinary, and that you knew to be untrue?

A. Oh, I don't care so much about that; I didn't pay that attention to them; just, you know, how it is in such a place; the same in all the world throughout. They come in like in a tavern or hotel, and talk together; and this and that is brought to your attention, and you hear this and that.

Q. You couldn't tell whether those stories were true or not?

A. I didn't care in my mind whether they are true or not true.

Q. Did they ever tell you down there about burning people at the stake and torturing them?

A. Not that I know.

Q. You don't remember that?

A. I don't remember any such thing.

Q. Did you ever hear of any of the doctors or attendants down there eating up Bibles; tearing and eating up Bibles?

A. I don't know. There was some patient, I forget the name, tore a Bible and eat it up.

Q. Not patients, I mean attendants; the doctors or attendants?

A. No, sir; no, sir; that is a false story.

R. Did any of them tell you that?

A. Not that I recollect. Just what I mean is, that I know one patient they tore his Bible to pieces; I forget the name.

Q. Was it a patient or attendant?

A. A patient who was a grocery keeper from Pittsburgh; a man about thirty-six or eight years old, who got perfectly crazy, and tore everything in pieces. It was a Bible of his that was torn.

Q. That was a patient?

A. A patient.

Q. What was his name?

A. I don't know his name.

Q. But I am speaking in regard to attendants.

A. From attendants I don't know any such thing.

Q. Did you ever see Doctor Wiley tear up Bibles or so?

A. That is no question to me.

Q. Did you ever see or tell anybody that he was carrying on and eating Bibles?

A. My dear sir, that is too ridiculous a question to me.

Q. Did you ever tell any persons in Erie or Pittsburgh here, Erie particularly, that men had been burned at the stake down there in Dixmont for eating Bibles and reading Bibles?

A. My dear sir, excuse me, that goes too far out of here. I would not anger my mind to go into it.

Q. Would not?

A. No, sir.

Q. Then you say you never said that?

A. No, sir; never did.

Q. You tried down there to lead a good virtuous life?

A. I think I have done so; I leave to others that they judge about me.

Q. Just tell us what your daily routine was; how you conducted yourself.

A. I had German pamphlets come to me, the best publications we had from Germany; then I had Bibles and religious books and prayer-books, and so on.

Q. Did you read many of these books?

A. What I liked I thought it was a duty to do; mostly I had pamphlets what I read.

Q. Doctor, do you remember, at any time that you were down there, of taking a notion that you would not eat anything?

A. No, sir; I have eat all the time.

Q. Do you remember of the doctors being forced, and being required, to feed you by artificial means?

A. No, sir.

Q. Through a stomach tube?

A. No, sir.

Q. They never did that?

A. No, no.

Q. Didn't Doctor Hengst, of whom you spoke so kind, have to do that?

A. I can't help but to laugh about that.

Q. You think that is so ridiculous?

A. I can't help to think so.

Q. And by saying that it is so ridiculous, you deny it altogether?

A. Yes, sir.

Q. Didn't you try to starve yourself to death?

A. No, sir. When I refused to eat, I told doctor I had some hot biscuits, and I ate them, and they hurt me so; I thought, on that account, to stop eating was the best remedy to cure it.

Q. When was that—soon after you came there?

A. More than three or four years past; and that was the only thing; I recollect it very well.

Q. Was that reported to anybody?

A. The attendant reported I hadn't eaten anything, and I gave the reason I had eaten hot biscuit and had injured my stomach.

Q. Wasn't it about four years ago?

A. Yes, I think it was four years ago.

Q. Do you remember, yesterday, of testifying, or do you remember the fact while in Dixmont, of getting crushed glass for the purpose of taking it yourself, with intent to commit suicide?

A. My dear sir, how could I do that?

Q. I am not asking you that; do you remember the fact?

A. How can I do it—

Q. You deny it?

A. Certainly—certainly; I never have attempted it. How can I do it? I had no stone and no mortar to pound it in.

Q. Didn't you break the glass in your room and rub it against the stone on the edge of the window?

A. No, that cannot be done.

Q. You deny it altogether?

A. Altogether. That is less true than if you found me in the river.

Q. Did you ever break any glass?

A. Yes, sir—yes, sir; there was just that kind of feeling that I had to do it, and when the feeling came I had rather to pay it than to do such shameful things.

Q. Where was that?

A. It was the windows.

Q. What ward?

A. That was the fifth ward.

Q. Do you know what room that was in?

A. That is more than I can tell; it was the north side of the house.

Q. Is that the first room you were in when you went there?

A. No; I was in the second ward.

Q. How long were you there when this glass was broken?

A. My dear sir, I don't know. For God's sake what is these questions you ask? It is no more to me than what I eat yesterday.

Q. Doctor, what were you removed from the ward for?

A. From the second ward; I spoke to Mr. Caldwell that it was so curious a feeling in here—next door—the second door was Jim Brown. I had an idea some one was saying "You have to fight with Jim Brown," always; and when he was sitting out there he didn't do anything to me; always it was that; it was a curious thing.

Q. You wanted to fight Brown?

A. I did; but I told Mr. Caldwell I didn't want to fight him.

Q. Then were you removed into the other ward?

A. Into the fifth ward I was moved to.

Q. Did you break glass in the fifth ward?

A. Yes, sir; I have done so; I have told you several times, it was as if some one was saying "You must do it"—

Q. And you could not control it?

A. That you must do it; yes, sir; to make such an act.

Q. Don't you recollect of asking an attendant to make you dead; you wanted to die; that you was such a bad man?

A. Oh, no; never.

Q. You deny that?

A. That is for sure.

Q. Do you remember asking Bogue that?

A. I have given my statement as near as I could, and Bogue knows that is what I say the truth, and I wish to be excused further in such things; that is what I call nonsense, no account; that is not that much worth to me.

Q. I understood you yesterday, Doctor, to say that you were changed back from this fifth ward into another ward?

A. The second ward.

Q. The second ward is regarded the best ward in the institution?

A. It was called so.

Q. It had the best patients?

A. Mr. Caldwell always pronounced it the best ward, and wanted it kept clean.

Q. You was removed from that ward to the fifth ward, and then moved back again?

A. On my request; on account of that feeling to Jim Brown to fight, that was strange to me.

Q. Tell us about Jim Brown.

A. Oh, well, well——

Q. All about it.

A. It is not of interest to you ; the man makes nonsense.

Q. Is he demented ?

A. Oh, certainly.

Q. You said you had an impulse to fight Jim Brown ; was he bothering you ?

A. Not a bit ; not more than I do you ; it was only such a feeling.

Q. The feeling was on your part ?

A. Yes, sir ; it was on my part ; I mentioned it to Mr. Caldwell.

Q. Brown didn't want to fight you ?

A. Not at all.

Q. Did Brown want to fight anybody ?

A. No, sir ; he was just quiet, and moved around.

Q. How long did the spell last—wanting to fight Jim Brown ?

A. As long as I was over in the fifth ward, it left me.

Q. Then you were out of the same ward ?

A. That was in the second ward.

Q. There was a door between you ?

A. Certainly ; the second ward was a different thing from the fifth ward.

Q. Do you remember of being confined to your room and watched in the fifth ward, and confined even to your bed for the purpose of preventing you from killing yourself ?

A. Oh, no ; that is nonsense.

Q. Weren't you frequently exclaiming to the attendants, and others there, that you wanted to die—you were a bad man ?

A. That is all nonsense. That is not so, that I done that—made such exclamations. I feel too much for myself.

Q. Do you mean that you never had paroxysms of feelings, which you could not control, and was unconscious ?

A. Only what was this breaking the windows in the commencement.

Q. Was that the only paroxysm you had ?

A. The only trouble. From that time it was a different thing.

Q. Outside of that time, this time that Bogue treated you at the privy so badly, you were treated pretty kindly after that, were you not ?

A. Well, I was treated just like other people. When meal-time was I was called to the table, and when my clothes was necessary—my Sunday clothes—it was given to me.

Q. You spoke yesterday of wanting things, which were not given you between meals ; did you want to eat sometimes between meal-times ?

A. That was in later times when this vertigo came on. It made me feel miserable. I felt it more as if I sink down, and then what I have spoken of about the different table from what other people had.

Q. You had a separate table from other people ?

A. I wanted these things a German was used to, tea and coffee, or so, when I needed it. I stated it to you yesterday. I can't say any more. From one meal to another you had to wait.

Q. State what they had down there ; what was the bill of fare ?

A. One day this and one day that, meat and dried beef——

Q. They had vegetables ?

A. Why not ? They had cabbage, sauer-kraut, potatoes, spinach——

Q. Did they have fish there ?

A. Fridays they had salt fish. One time I know that we had fresh fish. That was the only time. The other times they was all salt fish.

Q. Did you have any roast beef, anything of that kind—substantial?

A. Oh, my; just you know yourself how it is. I just state the facts. I have enough, I have enough; that is too much.

Q. Now, Doctor, I want you to go on.

A. What, good God, what is the reason of that; that is the bill of fare—

Q. What kind of vegetables did you have?

A. Potatoes, cabbage, sauer-kraut, and so on, and certain times spinach and salad.

Q. Was there enough?

A. Oh, my; plenty.

Q. How was it with tea and coffee—plenty to go around?

A. Oh, more than enough.

Q. Had they milk?

A. The milk was mixed with the tea and with the coffee already.

Q. That is, already mixed; the patients didn't mix it for themselves?

A. No, sir.

Q. Had they any kind of meat besides roast beef?

A. Just what I told you—dried beef, beef steak.

Q. Did you get enough of it?

A. I didn't make much use of it.

Q. Did the other patients?

A. Oh, my; some eat moderately and some overdone it.

Q. If you had wanted it, they had enough?

A. Plenty, plenty; was always provisions there.

Q. Did you have bread and butter?

A. Certainly.

Q. Would they have bread and milk, and corn starch, and things of that kind occasionally?

A. Once in a while, and then, what they call it, mush.

Q. As a doctor, would you say they had good, healthy food there?

A. Well, that is a thing just how it suits people. Every one has a notion their own way.

Q. Doctor, you have prescribed diets for patients; what would you say about that—the general bill of fare; give us your opinion about that; was it good, solid, healthy food?

A. It was good, solid, healthy food.

Q. And plenty of it?

A. Every one selected what he wanted, and I done what answered my purpose.

Q. It was rich and good?

A. Sufficient.

Q. Were you there when Mr. Hopkins was there—do you remember him?

A. I don't.

Q. You don't remember him?

A. I don't.

Q. Do the patients there have access to any other ward than what they are in?

A. No, sir.

Q. They are changed from ward to ward by the physician?

A. By the physician, if they think proper and right—put them away from one ward to another.

Q. Had you a chance, and did you go to the chapel to hear the preaching?

A. Why, not in the later time I didn't do it, on account of my feet was too sore.

Q. Were there entertainments, magic lanterns, etc.?

A. That was all so good, you see, every one to his notion; if you like it, have it to your house.

Q. You didn't like that?

A. Oh, let me alone with this trash.

Q. Doctor, I want to ask you on a branch of the case you have been examined very fully on; I understand you to say this publication in the *Erie Herald* was grossly exaggerated?

A. My dear sir, what I told you, depend on that as true, as I believe in the living God. I didn't care as much as a snap what they said. I am my own, sir, and what I have given forth, for that I have to answer here; for this, I don't care that much for.

Q. Do you say this is true or not?

A. Maybe partly; I didn't pay attention to it to read it.

Q. Major Walker read it to you?

A. This,—such names as that, [referring to the heading of the article.]—too horrible altogether—this and that.

Q. Just point out what you mean;—the heading there?

A. My dear sir, I can't do it; here is my saying, and if that is not sufficient, I can't say any more, and this is too ridiculous for me,—such things,—I don't allow it; you may take me for what you will, but I feel a little,—I feel ashamed to answer about such things, they are not this—[snapping his fingers]—importance to me.

Q. I want to ask you this—had you much intercourse down there with Pershing?

A. Oh, he came once in a while to my door; he was very kind and I liked him very well, and then he was so friendly, and so was McMasters, likewise; they brought me often my broom.

Q. Were you there on the fourth of July, when he delivered an oration?

A. He read it to me, because the weather was too severe; it rained;—but let him have it alone.

Q. What did you think about that?

A. It is, sir,—he thought,—a wonder what he performed; if he thought so,—like a child,—for the mother to see what a picture I have made;—let him have it.

Q. He was pleased with it?

A. Yes, sir.

Q. Did you hear him deliver it?

A. No, sir, it was too rainy.

Q. What did you think of it when he read it to you?

A. My goodness, I didn't pay this much attention to it.

Q. Did he read it to you all? I want to ask about Pershing's mind; I want to know more about that; what do you say about Pershing's mind?

A. Every one has his hobby-horses, and so he has, too; that is about just as matters were; to tell the truth, it was too much for me, but I didn't care for it; if he wanted it, it don't hurt me.

Q. Do you consider Pershing a sane man?

A. In his transactions,—in his business doings,—you might talk and find nothing wrong; he could perform his business.

Q. And Nennstiel the same way?

A. I think so, he don't act wrong.

Q. And Dinkel, too?

A. Dinkel, too, he can work.

Q. How about his mind?

A. About his mind—his construction and his judgment differs a little from mine.

Q. His mind is all right?

A. His mind is all right. You put him to work and he does it, he does his work, does there, does all what he is wanted to, but just as a favor, but in other respects I would have no dealings with him.

Q. You acknowledge from your talk with him, (Nennstiel,) that he was clearly deranged?

A. Oh, he was sometimes so you could talk with him; I liked him very well, he was very kind. He always give me the circumstances about his family, and on account of his wife, too, we spoke much about gardening in our language, but often he had such spells that he was wandering.

Q. You don't mean to say, either yesterday or at any other time, that Mr. Thumm died from brutal treatment there at Dixmont?

A. That I have not said at all.

Q. Was he sick?

A. I don't know what you call him, but that is what I heard, that he had a heavy fall; he came to my room Sunday morning—

Q. Do you know that he was subject to epileptic fits?

A. He said to me that he had sometimes spells in the night, and would get up in bed and hold his head between his legs, I told him not to do it, it was a sure sign he was not right in his mind.

Q. Do you know if he had an epileptic fit that time?

A. No, I don't know to that.

Q. You do know that nobody struck him brutally so that he died?

A. I have no idea of that.

Q. You don't believe it?

A. No, sir; perhaps the attendant was more in fun than anything else when he said, "Oh, you Dutchman."

Q. It was done more in fun than anything else?

A. He pushed him into his room with his hand.

Q. With his hand?

A. Into this room and it happened, perhaps from coma or something—

Q. It was not the result from the pushing?

A. No, just pushed him in.

Q. Do you know a man named Ducktail?

A. Yes, sir, very well; he writes to me, he corresponds with me and sends me papers; he was a long time in Dixmont, twice there, and from the time he left he corresponded with me and sent me papers.

Q. Look at that writing and see if you can recognize it? [Letter shown witness, dated February 13, 1883.]

A. That is his signature to it.

By Major Walker:

Q. Is that his signature?

A. Yes, sir; that is his signature.

By Mr. McKenna:

Q. Do you remember promising a man named Hoeffler fifty dollars to get you out of Dixmont?

A. Sure so, and I would have given a hundred dollars to get me out.

Q. Did he hunt you up in Erie to get it?

A. He came after me, and Mr. Walter, he refused it.

Q. Didn't Hoeffler come to you to try to get that fifty dollars?

A. He came, and Walter, I believe, paid him twenty-two dollars.

Q. That is, your committee?

A. Yes, sir.

Q. Who was it got you out of Dixmont—Hoeffler, Walter, Judge Gilbraith, or yourself?

A. Just as I told you; I wrote to Judge Gilbraith; he wrote to Doctor Reed, and he discharged me; Mr. Brevillier came and took me out.

Q. Doctor, in reference to your general treatment at Dixmont, I understood you to say that your treatment was kind, so far as any personal handling was concerned of you, except once?

A. Oh, there was nothing except—

Q. You have no complaint to make?

A. I leave it alone; I eat my dinner, my meals just how it was.

Q. About your letters that were sent from Dixmont; don't you know of a great many of your letters being delivered?

A. There was some failed.

Q. I am asking you not about the ones that failed—don't you know a great many of them were delivered to Mr. Walters, and Mr. Kolb, and to your son?

A. Yes, sir.

Q. How many letters did you write to Charles Julius, your son?

A. My good God, I wrote a great many to them.

By Major Walker:

Q. Doctor, I have simply one question, and that is in reference to the person that you familiarly call Jim Brown, from Erie; is he a confirmed lunatic—demented?

A. Yes, sir; he is a man perfectly demented.

Q. Now, was your object in getting away from where Jim Brown was, that you didn't want to get near him?

A. You see it was such a feeling I had to fight him; you know I was no fighter in my life.

Captain JOHN FISHER, a witness appearing before the committee, who, being first duly sworn, testified as follows:

By Major Walker:

It is proposed to prove by Captain Fisher, that he is a friend of and knows Doctor Sevin, who at present resides with him, and is familiar with all his habits; and that he, being a German, we desire to show by him his mode of life, thereby explaining some of his peculiarities; and so far as his knowledge goes, that he is a perfectly sane man.

Counsel for respondent objects to the contradiction of the report of the lunacy of Doctor Sevin, of the court of common pleas, of their county, which adjudication stands unreversed and unappealed from, and until the commission of lunacy is superseded, and the man legally discharged from lunacy, that the evidence proposed is incompetent and illegitimate. Second, that the witness is a layman, and not an expert on insanity, and consequently incompetent.

Q. I wish you would state to this committee what your name is.

A. My name is John Fisher.

Q. Where do you reside?

A. In Erie.

Q. What is your age?

A. I will be fifty the next 7th day July.

Q. Do you know Doctor Charles Sevin?

A. I do, sir.

Q. How long have you known him?

A. Pretty near thirty-six years; be thirty-six years next summer, when I arrived in Erie, in 1847.

Q. Where do you reside now, Captain ?

A. I reside in Erie, Pennsylvania.

Q. Whereabouts ?

A. Seven hundred and four French street, between Seventh and Eighth streets.

Q. Do you keep a hotel or boarding-house ?

A. No, sir ; I keep a private boarding-house.

Q. Does Doctor Sevin board or live with you ?

A. Yes, sir ; he lives with me.

Q. How long has he been doing so ?

A. Since the night of the 14th of January, that night he arrived. I went up to the depot the 4th of January, 1883, in the night he arrived in Erie.

Q. Who made the arrangements with you for his board ?

A. Mr. Jacob Walter, his committee.

Q. Mr. Jacob Walter is his legal guardian ?

A. So I understood.

Q. He has resided with you since the 4th of January, 1883 ?

A. Yes, sir.

Q. Are you familiar with his habits and his customs, at the house and in his room where he lives ?

A. Yes, sir ; I am most of the time at home ; very seldom I would be out.

Q. In your own way, Captain, state what the habits of Doctor Sevin are—whether he is in the habit of going out, or whether he remains in when he is at home ; when he leaves, and when he is at home, etc., etc.

A. Since the Doctor is with me he is very quiet and peaceful, and he went out the first day, I think. When he wanted to go out, I took him to the barber shop. I went with him ; I thought it would be better, it was slippery on the sidewalk, and I went along with him, and I took him to Doctor Brandy's once. He wanted to see him, because he is a particular friend of his, and I went with him to Doctor Brandy's.

Q. You may state if it was on account of the condition of the pavements, at this particular time, that it was almost impossible to move about, was the reason you accompanied him.

A. Well, he could not go around very well, and that is the reason I went along with him.

Q. Well, go ahead.

A. In the morning he takes his breakfast, and one cup or two of coffee, and a biscuit, or something like that, very little food ; after that he sits in his room and reads his paper—a monthly, I believe you might call it—a magazine.

Q. Are they German or English ?

A. Well, the most of them he has are German.

Q. He is a great reader ?

A. Well, he likes to read ; it didn't make any difference whether English or German.

Q. Does he go out at nights at any time ?

A. No, sir.

Q. Always remains in his room ?

A. Always remains in his room ; the Doctor sits in his room ; I always call him for his meals ; he generally takes his dinner ; we generally have whatever he likes to have, especially soup ; it agrees with him, most any kind of soup.

Q. Mr. Fisher, I will ask you a question—as a citizen, without being an expert or anything of that kind, do you consider him a sane or insane man?

A. I don't see anything wrong with Doctor Sevin; I don't believe that he is insane; I don't believe it with my best knowledge.

By Mr. Graham :

Q. During the time that he has been boarding with you, has he frequently complained of his treatment at Dixmont?

A. Well, we had several times—not once—we had conversation together about the institution, and he made some remarks about this and that what was going on.

By Mr. McKenna :

Q. Your opinion is, I presume, based upon the Doctor being left alone—he is all right?

A. If you let him alone, I cannot see anything out of the way with the Doctor. He had visitors there. I asked them how did they find the Doctor: “I cannot see anything.” In fact, my neighbor, John Gable, and Mr. Starr was there—he is there for thirty years; says I, “Mr. Starr, what do you think of Doctor?” and he says, “I cannot see anything wrong.”

Q. Did you ever see him disturbed or excited since returning from Dixmont?

A. Since returning? No, sir, not that I know of.

Q. Did you see him excited or disturbed?

A. Do you say excited?

Q. Yes, sir.

A. He was only excited on account of these reports that were published in the paper; he didn't like it because he didn't expect such a thing like that.

Q. How did he show his excitement?

A. Well, what is excitement?

Q. How did he manifest it?

A. If I meet you and suppose I tell you a lie and you get excited about it.

Q. Did he get very much excited?

A. Oh, no, not very much excited, you might say.

Q. Just tell us how it was.

A. He thought it wasn't right to publish such things for an old man like him; he thought it would be better to let the things alone.

Q. Captain Fisher, he was placed at your house by Jacob Walter, of Erie, I understand?

A. Yes, sir.

Q. Doctor Sevin has no home now in Erie at all?

A. He has some property there.

Q. He has no home,—housekeeping arrangements?

A. No, sir.

Q. Do you know Mr. Kolb there?

A. I do, sir.

Q. Do you know of any reading matter that was supplied to him, such as the *Police Gazette*?

A. No, sir; I would not allow such a paper as that.

Q. Do you know of any papers that were supplied to Doctor Sevin, soon after he came to your house, by Mr. Kolb, containing the disclosure of the practices in Sing Sing and other institutions there?

A. Yes, sir.

Q. Who supplied them?

A. I gave him a paper,—a German paper;—I think it is published in New York; some German New York paper had the evidence of the prison-

ers of Sing Sing; I let him have them myself; they said that Mr. Kolb gave him——

Q. Who said so?

A. I don't know; still, some did; I saw it in some of the papers that Mr. Kolb furnished it, but I gave him that paper.

Q. When he got through reading that, what did he say of it?

A. He didn't like it very well; he said it was bad enough. "I am sorry for those people, they have to go to such a place as that."

Q. How long was he released from Dixmost when that paper went into his hands?

A. I think it must have been about three or four weeks ago I got hold of the paper; it was on Sunday.

By Major Walker:

Q. Did you give him this paper at your own house?

A. Yes, sir.

Q. It was after he left Dixmont?

A. Yes, sir; after he left Dixmont.

By Mr. McKenna:

Q. Was it before this never published in the *Erie Herald*?

A. It was after the article came out; after that.

Q. You gave him the German papers?

A. Yes, sir.

Q. You are sure of that?

A. Yes, sir.

Q. Do you know whether Kolb gave him any papers?

A. I do not know. If he furnished him with papers I didn't see him, because Mr. Kolb could come into the house any time he chose. I told Mr. Kolb, when he comes, to go into the house without ringing the bell, as he has known him for years.

By Major Walker:

Q. They come from the same neighborhood?

A. Yes, sir.

By Mr. McKenna:

Q. Before keeping this boarding-house what was your occupation?

A. Shoemaker.

Q. Have you ever had any experience about an insane asylum, or treated insane patients, to justify you in pronouncing this man sane?

A. I don't know nothing about an insane asylum.

Q. Have you had any insane people before in your custody except this man?

A. No, sir.

On motion of Major Walker, adjourned to meet at 1.30, P. M.

And now, to wit, Saturday, February 24, A. D. 1883, committee met, pursuant to adjournment, at 1.30, P. M.

Present: Honorable J. J. McCrum, chairman, Senators Hart, and McNeill, Representatives Graham and Walker.

C. F. McKenna and J. H. Reed, Esqs., for respondents; and witnesses.

And the hearing of testimony proceeds.

JONATHAN HAMNETT, a witness called before the committee, who being first duly sworn, testified as follows:

Examination by Major Walker:

Q. Will you be kind enough to give us your full name?

A. J. Hamnett.

Q. Where do you reside?

A. At Meadville, in this State; Crawford county, Pennsylvania.

Q. What is your calling or profession?

A. I am acting president of Allegheny College at present.

Q. Your occupation at present is president of a college—acting president?

A. Yes, sir.

Q. Are you a medical man by profession?

A. No, sir.

Q. Are you a professional man?

A. My university degree is D. D.; I am a minister.

Q. What denomination?

A. Methodist Episcopal.

Q. Did you have a conversation with a patient of Dixmont Hospital by the name of Johnson?

A. Yes, sir.

Q. What year was it?

A. I could have answered that question exactly—

Q. As near as you can recollect?

A. I think it is about four years ago; I am not able to say what his first name was; the patient went back to the hospital and died there.

By counsel for respondent:

Please state what it is proposed to be proved.

By Major Walker:

It is proposed to be proved that Doctor Hamnett took to Dixmont Hospital an insane patient by the name of Johnson, that after taking him there the patient escaped from the hospital; and what the patient told the doctor of his treatment there. And further, that this evidence shall be taken in executive session, and, after being so taken, the committee shall vote as to whether or not it shall go upon the record.

Objected to by counsel for respondent, as being hearsay and not a dying declaration.

Here the motion was put by the chairman, when the following members voted in the affirmative: Senator Hart, Major Walker; Mr. Graham also voted in the affirmative, after stating as follows: "I have no objection to hearing what Doctor Hamnett may have to say, with the understanding it is not to go upon the record unless we consider it competent testimony after we have heard it; with that understanding I would vote to hear what he has to say."

Senator McNeill voted in the negative.

By the Chair:

The resolution is adopted.

Here the committee went into executive session, and the examination of the witness was continued.

By Major Walker:

Q. Doctor, state to the committee, if you please, when you first became acquainted with Mr. Johnson.

A. Very many years ago I knew him well.

Q. What was his calling in life?

A. He was a laboring man; he attended an engine, at one time, in a woolen-mill; I knew him as an engineer in the woolen mill in Meadville, living on the same street on which I live.

Q. Doctor, you can go on and state now, in reference to his insanity,

the character of it, and how long ago it was, etc.—just state all you know in regard to it.

A. He was a man in rather a feeble condition of mind, not a man of brilliant mind at all, a man of very plain intellect, very sincere, an honest, industrious man; and he was a member of the church of which I myself am a member also. I knew him intimately in his church relations, and I should think, perhaps ten years ago, or twelve years ago, possibly, he became feeble—feeble in health—and the mental trouble was connected with his religious experience and his religious ideas. He came to see that he had, in some way, forfeited the Divine favor, and that he was likely to be damned to perdition. It seemed to be a diseased condition of the mind, and still he seemed perfectly sane on every other subject. I myself advised that he should be taken to Dixmont. I spoke to his wife on the subject, and spoke to him, and told him that I thought he needed treatment for his body and for his mind, and that he could have that at Dixmont, and advised him to go, and I brought him there myself. When I came to the institution, the physician that received him was not the physician-in-chief; I had expected to see Doctor Reed, but I was met by a younger physician—I judge a very bright and intelligent man—who took great pains to ask the usual questions that are, I suppose, proposed when patients usually are admitted. He took me all through the hospital, and I was very much pleased with his intelligence and accuracy, and with everything I saw, and I felt very certain that my friend would have every attention that his case would possibly require. He was there for some considerable length of time, and finally escaped from the institution, and made his way back home. After he returned, I went to see him, and had a conversation with him. I soon ascertained that he had some mental trouble, and that his mental trouble seemed to be confined to that one subject in particular. I asked him how he liked the institution, and what treatment he received when he was there, and he told me that he had been treated with a good deal of severity and cruelty, and stated that he believed that they wanted to poison him. Of course that looked very much like an insane man. I told him nobody wanted to poison him. He said that the worst treatment that he received was on the part of those who had the personal care of him. He didn't wish to take any medicine, and they forced him to take it, and they treated him with a great deal of violence in forcing him to take his medicine. That was the only thing that he alleged in regard to cruel treatment or harsh treatment of any kind. He thought they were going to poison him, and the rough manner in which he was handled by the men who had charge of him. They threw him down on the bed and forced the medicine into his mouth, and he spoke about the manner in which he was treated, mainly, as I recollect it now, the rough treatment was mainly that, and he felt he was making a grand escape to get out of the institution. I think he was in a worse condition, mentally, after he reached home than he was before. He dreaded very much to go back, but his symptoms of insanity were more strongly developed than previous to his going there at first. He became somewhat violent, and had to be taken to the institution, and while he was at the institution I received word from Doctor Reed, I think, of his death. He was brought home, and I attended his funeral. I knew the man well. I didn't pay very much attention to his complaints; it seemed to be rather natural.

Q. Doctor, did he say to you that they threatened to do certain things to him?

A. Yes, sir.

Q. State what that was.

A. Well, there was a place that he described in the wall, near the door, where there was a trap-door; they threw his clothes and things down from there to the lower story. He called it the dark hole of Calcutta, and he stated they threatened to throw him down, and he was apprehensive.

Q. Did they make the effort?

A. No, sir.

Q. In your own observation of the condition of Mr. Johnson, are you satisfied that he was a monomaniac just simply on the question of religion?

A. Yes, sir.

Q. Perfectly sane on everything else?

A. Yes, sir. My first impression was when he came back and talked about their trying to poison him, and put him down in that hole. I judged from that that his symptoms were worse than before. I don't think I ever heard anything bad about the institution.

By Mr. McKenna:

Q. You may inform us how long he had been there.

A. I could not. If I had known I was to meet such a committee, I could have refreshed my memory.

Q. When was he there the longest—the first or second time?

A. I think he was there longer the first time than the second.

By Major Walker:

Q. Did he explain to you how he escaped?

A. Yes, sir.

Q. Just tell the committee how he escaped as he told you?

A. His explanation, as I recollect it, was that the patients are allowed, at times, to recreate around in the morning along the building and in the gardens, and he watched his opportunity and made his escape. I afterwards learned, I think, possibly not through Doctor Reed—I don't know how I learned—that the parties who had charge of him, and who allowed his escape, were dismissed from the service of the hospital.

Chairman McCrum here stated that the witness did not appear here voluntarily, and that he was on his way to Meadville, and the committee happened to learn about his presence, and procured his attendance.

JOHN W. CARROLL, a witness called by the committee, who being duly sworn, testified as follows:

By Senator Hart:

Q. Mr. Carroll, where do you live?

A. I reside in Mercer county, Illinois; Toledo at the present time.

Q. Where did you formerly reside?

A. I formerly resided at Oil City.

Q. Pennsylvania?

A. Pennsylvania. Yes, sir.

Q. State whether you ever was an inmate of the Dixmont hospital or asylum.

A. I was.

Q. When did you go there?

A. I was taken there on the last day of September, 1879.

Q. What led to your being committed to that institution?

A. It was caused from a severe headache, brought on by cold and loss of sleep.

Q. Was you committed to the hospital, if you know, on certificate of a physician or—

A. I believe it was on the certificate of a physician.

Q. Who conducted you to the hospital?

A. Doctor Harding and a man by the name of Wilson—Matthew Wilson.

Q. Who treated you prior to going to the hospital?

A. Doctor Harding.

Q. Have you any recollection of the applications he made to you, or treatment that he gave you?

A. Yes, sir.

Q. Please describe them.

A. Well, he used cold application to my head.

Q. Did he blister you?

A. Yes, sir; put a blister between my shoulders in my back.

Q. How long prior to your going to the hospital was that blister applied to the back of your neck or between your shoulders?

A. I think it was applied about three days prior to going—either three or four days.

Q. Had it been removed at that time?

A. I think the blister had been removed. It had caused a sore. There was a cloth put on instead of the blister.

Q. How were you taken to the hospital?

A. I was taken in a spring wagon from my place to the depot to Oil City, and there placed on the cars.

Q. In company with Dr. Harding?

A. Yes, sir; and Mr. Wilson.

Q. Who was in charge of the institution at that time?

A. Doctor Reed was the head physician, Doctor Wylie, who was under Doctor Reed at the time I was brought, and Doctor Caldwell was attendant.

Q. Just please go on and describe the manner in which you was treated, after you reached Dixmont, by the attendants.

A. Well, when I was first taken there, I was placed in the first ward. I was taken in the first place to the bath-room, took a bath. They handled me in a rough manner, and tore off my clothing. They used me a little rough. I told them to go easy, that I had been sick and had a blister put on my back, and it was sore, and to be careful. After that they got my clothes off, and took me in; they used a brush—

Q. In what?

A. Into the bath-tub, and he pulled the brush across where the sore was on my back—I think I can give his name. I would not be positive which one of attendants it was. I was only in the first ward about five hours, I think not over that; and then I was taken to the eighth ward. Then after they got through bathing me, I dressed myself, and they put me in a room—a very comfortable room. I went in there. They told me to go in and stay. I went in there and sat down for quite a spell, and I came out into the hall, and one of the attendants ordered me to go back into the room, and I went in. I suppose I was in the room twenty minutes, then I came out again into the hall a second time, and then he swore at me, and told me to sit in that room, and told me to go back there and stay there, and I went in a third time and stayed, well, I could not say how long; I came out again, and then the attendants went at me and two patients. They were two big stout fellows, whom I think were simple, never had been right. I think I could pick out the same men if I was there now; they are large, and they helped the two attendants. They struck me and knocked me down, and they kicked me, and then I became unconscious, and I don't know what transpired until I came to in the eighth ward. In the evening the first thing I knew they gave me medicine. There was one of the attendants, his name was Brown. He was a dinning-room attendant at that time—I can-

not think of the other attendant's name—I cannot recollect this name. There was three come in. One of the men's name was McConnell. He was not an attendant of the ward, but he had charge of me, and I think works on the outside. He took his meals in the eighth ward. They gave me a medicine; it was a physic, I believe; it was rhubarb, I think. I did not want to take it. I had my own ideas of things. I thought there was poison in the medicine. I recollect that well enough, so they tried to force me to take it. Finally, they kicked me down and choked me and strangled me, and poured the medicine down. Then after they done that—Harper I think was the name of the other attendant, I think that was the name, kicked me and left me lay there on the floor. Well, they put on a strait-jacket on me in the evening, and left me in the room without any bed, or nothing but the bare floor, and did not leave any chamber in the room, and I had taken that physic. During the night I went to work and got the strait-jacket off, and then the physic operated; there was nothing to use in the room, and I just had to use one corner of the room, and the next morning Harper opened the door and saw what I had done. He said, "God dam, what did you do that for?" Said I, "How could I help it? Why did not you leave me something in here?" He swore I would pay for that, and went and brought this McConnell and a patient by the name of Lovell, and the three came into the room and Brown sat in the cell door, and they went at me, and Lovell in the scuffle caught my whiskers with one hand and the privates with the other, and knocked me down and dragged me around the room, and there was Harper kicking me. They kicked me until I did not know anything. They locked me in cell and left me during the day. In the evening they came in again and gave me medicine, and put a strait-jacket on me. They drawed it up just as tight as they could pull it. McConnell and Harper after they put on the strait-jacket said, "There, G— d— you, take that off if you can," and left me in the cell that night. That night they threw a straw tick in, and a covering; I had a straw tick for my bed that night. The second morning my mind returned so that I knew everything, and knew what kind of a place I was in and all about it. The attendants opened the door, and I told Brown if they would treat me decent that was all I wanted. If they didn't intend to do that I didn't want them to come into the cell at all. I stood by the front of the cell door, and when they wanted to get in, but Brown said, "All right, come with me," he took me to the bath-room and he washed my whiskers that was all filled with blood. He trimmed my whiskers and my hair. After that I had no abuse whatever while I was there at the hospital—that is, after my mind had got so that I knew everything. They did not abuse me afterward, but I saw plenty of others abused while I was there. It was a general occurrence.

Q. Who first kicked you? Do you know the attendant's name?

A. No; there were two or three at me. It is hard to tell which one kicked first; I could not do that. I don't know who did the kicking.

Q. This is the first time you was kicked?

A. The first time.

Q. At the time they were washing you, who disturbed the irritated place on the back of your neck?

A. I don't know whether I can give the name. I think one of the attendant's name was Park; the other one I could not recollect. I think it was the other attendant that used me the worst of the two.

Q. Whereabouts did he kick you at that time?

A. They kicked me several places; I was kicked on the body and on the legs. My legs were sore. I was covered with sores.

Q. Had the person who kicked you heavy boots or shoes on?

A. I could not tell whether they had heavy boots or shoes; so far as that is concerned, I could not say.

Q. The kicking produced bruises, however?

A. Yes, sir; the kicking produced injuries that I have never got free from, and never will, I don't suppose.

Q. Then, I understand you, there was a second time you were kicked?

A. Yes, sir; the worst treatment was on the second morning, and that was the time I received the worst injury.

Q. Do I understand you that this is the time they caught you by the whiskers?

A. Yes, sir; that is the time they caught me by the whiskers.

Q. Did they tear any of your whiskers out?

A. Yes, sir.

Q. Whereabouts did they injure you? Did they cut you?

A. Right under my chin. It was tore out. After I came home all the whiskers came off.

Q. You spoke of blood; where did that come from?

A. It came from—I suppose—the part being torn off the skin—torn off loose.

Q. Were you choked?

A. Yes, sir.

Q. At the same time your whiskers were torn off?

A. No, sir; I was choked the night before—the night they gave me the medicine.

Q. Were there any marks left upon your neck from that choking?

A. Yes, sir; there were marks left.

Q. Whereabouts?

A. On each side of my neck showed where they caught me by their hands and strangled me.

Q. Whereabouts were you struck and kicked when your whiskers were torn out?

A. I was kicked several places. I had one sore on my side, and I was covered, you might say, with bruises from the effect, and most all of these places healed.

Q. Whereabouts on your side were you kicked?

A. It was on the left side, right in here—[pointing]—where I received the worst injuries.

Q. I understand that one of the attendants caught you by the privates?

A. It was not an attendant; it was a patient that they always called on to help them. He was a man that was just like a man set on wires, and when he came to help and abuse a patient he was strung up. Always got him to help.

Q. He was called on to aid them?

A. He was called on to aid them.

Q. Did that produce pains and injury?

A. Yes, sir; for a long time it produced a good deal of pain?

Q. Were your privates swollen in consequence?

A. Yes, sir.

Q. Very much?

A. They were swollen considerably for a while.

Q. Where did this occur; in your room or were you out?

A. It occurred in my room or cell; you could not call it a room; it was a cell.

Q. Were you taken out at the time?

A. No, sir.

Q. Was it on the floor or bunk, or where was it?

A. It was on the floor; there was no bunk near.

Q. Were you dressed at that time?

A. No, sir; the clothes was all torn off me in the scuffle.

Q. The clothes were torn off of you in the scuffle?

A. Yes, sir.

Q. What clothes had you on when the scuffle commenced?

A. I think I had a pair of pants on; and had nothing on but a shirt. Think I had a strait-jacket on; I had got it off before.

Q. What was this punishment inflicted on you for, apparently?

A. It was for doing the job in one corner of the cell.

Q. In one corner of the cell?

A. Yes, sir.

Q. Were you laboring then in your mind disorder or aberration?

A. No, sir; not so bad. I was on the mend for a time—well, you might say by spells, until I got nearly to Pittsburgh, then things appeared to be more natural, and at short times they would not.

Q. This was on the morning that this injury was inflicted on you?

A. Yes, sir.

Q. Did you sleep the night before?

A. Not but very little; I had no bed; I had nothing but a damp cell floor to lay on.

Q. You had no bed?

A. No, sir; nothing but just the floor; the bare floor. There was not a thing in the room; no carpet; not even a chamber; nothing left whatever.

Q. No blanket there?

A. There was no blanket in my cell. The first night I was put in my cell in the eighth ward, there was nothing in my cell.

Q. What kind of a floor is it?

A. It is a wooden floor.

Q. How large is the cell?

A. Well, I think it was—I think close on to twelve feet square; maybe not more than ten.

Q. Was it well lighted?

A. Just one window for ventilation, and that is quite high.

Q. Was there no furniture in it at all?

A. No, sir; nothing in it. No furniture whatever.

Q. Was the atmosphere in the room cold?

A. It was cold—yes, sir.

Q. What effect had the kicking upon you and the abuse that was inflicted upon you?

A. The effect was that I could not lay down. It was fully two weeks before I could lay down to rest at all. If I laid down in bed, it hurt me so that I had to prop myself up to rest.

Q. Did the abuse you received there render you unconscious at the time?

A. It did.

Q. How long, do you know, you were unconscious?

A. I do not think I was unconscious for more than an hour, something like that, or half an hour; I could not tell exactly the length of time.

Q. Did you find yourself in this same cell in which this injury was inflicted when you came to?

A. Yes, sir.

Q. Were any of the attendants present when you came to?

A. No, sir. I was——

Q. Alone?

A. Yes, sir; alone in the cell.

Q. How long afterward before any of the attendants made their appearance?

A. Not until the next morning.

Q. The next morning?

A. Yes, sir. For the first abuse I received, that was in the evening. You have reference to the abuse——

Q. I have reference to the time when they pulled your whiskers out.

A. I think there was a dining-room waiter came to me at noon and wanted to know if I wanted anything to eat.

Q. That was the first person you saw after the injuries were inflicted?

A. That was the first recollection I have of it.

Q. How long did you remain in that cell?

A. There is one thing—I don't know but what you ask one question that I don't understand exactly. They took me out of the cell after the abuse for a while until they scrubbed it out, and then put me in the cell again.

Q. Put you back in the same cell?

A. Yes, sir.

Q. Did you remain in that cell without a bunk or blanket until the next day?

A. There is just one thing. I had no——

Q. That was the first night you went there?

A. Yes, sir. Second night I had—I have reference to the cell without any furniture or a bed, or anything of the kind.

Q. How long did you remain in the cell in that condition?

A. Just one night and one day.

Q. Just one night and day?

A. Yes, sir; the second evening they gave me a straw tick.

By Major Walker:

Q. You have stated that the evening before they gave you an emetic—rhubarb or something of that kind?

A. Yes, sir.

Q. And you had occasion to use the cell for the purpose for which you have stated?

A. Yes, sir.

Q. That was during the night?

A. Yes, sir.

Q. What time the next morning did the attendants come into your cell?

A. They came in quite early.

Q. At what time?

A. I think it was not more than six o'clock.

Q. You don't mean the waiter from the dining-room came?

A. He was at the cell door when they abused me that morning, and saw the abuse.

Q. I simply wanted to know what time they came to clean your cell out of the excrements that was there. Was it cleaned out early in the morning?

A. No, sir; I don't think they cleaned it out right straight. They came and saw what was there, and then went to work and abused me until after their breakfast was over, and then after breakfast I don't know what time it was.

Q. What time did you have breakfast?

A. They generally have breakfast pretty early; but I think it was prob-

ably eight or nine o'clock before I was taken out of the cell. I could not tell exactly ; but I think it must have been towards that time.

Q. And they knew all this time what had transpired in your cell ?

A. Yes, sir ; they had abused me after they saw in the cell.

Q. I understand your clothing was torn off you at the time ?

A. Yes, sir ; I was naked.

Q. Naked ?

A. Yes, sir ; in the scuffle was torn off.

Q. How soon after were you supplied with other clothing ?

A. I don't recollect exactly. I think my clothing was left in the room. That I put it on as quick as they went out, as quick as I came all right. I don't know the length of time I laid there after I was abused. It must have been half an hour or an hour, anyway.

Q. Then I understand you from that time on they inflicted no further abuse upon you ?

A. No ; after the second day I did not get any further abuse, as the second day I was there from the time—

Q. How long did you remain in the institution ?

A. I was there six weeks.

Q. How soon after you went to the institution did you become rational, and continue so ?

A. It was on the morning of the second day that I was in there. I think either that morning or the third morning—let me see. The first night I was taken, and it was the second morning that I—

Q. The second morning ?

A. Yes, sir ; when Mr. Brown came to the door everything appeared to come to me all at once, and I just realized where I was and understood where I was. I had spoken to Mr. Brown, and I told him " Now, if you will not abuse me, if you will consent not to abuse me any more, do nothing that will be unreasonable, I will comply with the rules." And Mr. Brown told me to go with him, and he took me to the bath-room.

Q. Have you a positive and distinct recollection of everything that occurred from the time that you left your home until you regained your entire consciousness ?

A. Well, pretty much all. There might be some things that I would not recollect ; but there is a great many things that transpired that I recollect just as well as if you told me anything now. In a conversation I had with Dr. Harding I told him that I was hurt. I asked him, " Why did you leave me there ? " Knew I was a heap better than I had been when you got me down there, and I told him the conversation we had before we went up. When we got down to the depot at hospital he said, " I recollect every word, every word that occurred." He said just after the conversation " I was a great deal better, and if you had been a brother of mine I would have taken you back."

Q. Had you the strait-jacket when you was taken to the hospital ?

A. I had.

Q. Where was it put on ?

A. It was put on at my place at home.

Q. Did you resist its being put upon you ?

A. I helped to put it on.

Q. Did you write any letters out of the institution, while you were there, to friends at home ?

A. I did ; I wrote the first letter that I wrote ever tried to get to any one was to my father-in-law. The letter was sent. I had wrote several letters, and I claimed to Drs. Wiley and Caldwell that they did not send

my letters or I would have received answers. My folks would answer my letters. They claimed they sent them, and I said to Mr. Caldwell one day, says I, "Mr. Caldwell, I have some business," and I told him a part of the business, "that ought to be attended to." "Now," says I, "I know you did not send my letters. I have received but one letter or two since I have been here." He told me he would send the letter. I wrote to my father-in-law, and instead of telling him my business I told him to come here, and asked him to see me on business, and come down. I kept watch, and expected him, and knew he would come if he would get my letter all right. Finally I got a letter smuggled out to my folks at home. It was through a man who claimed to be there for treatment, a private patient, who took the letter to New Castle for me, and through that letter I got out.

Q. Who came to have you discharged?

A. My brother there, C. C. Carroll.

Q. Dr. C. C. Carroll?

A. Yes, sir.

Q. When was you discharged?

A. I was discharged the 10th day of October——

Q. November, 1879.

A. Yes, sir; it was the 10th of November, 1879. It was on the last day of September I went in there, and I was there just six weeks.

Q. Where did you accompany your brother from Dixmont?

A. Right to my place at Oil City—at home.

Q. State whether you know Drs. Green and Lashell.

A. Never knew them. Since this occurred I met these two gentlemen at Meadville; to-day was the first time I met them since, I believe.

Q. State whether you subjected yourself to examination by these gentlemen.

A. I did, and by other doctors, too.

Q. In the presence of your brother, Dr. C. C. Carroll?

A. Yes, sir.

Q. How soon after you returned to Oil City?

A. It was the next week afterwards. I think about six days, likely five or six days.

Q. State what you showed them.

A. I showed them where I had been injured on my side, and also where my whiskers had been pulled out. I believe these are the only two things I called their attention to.

Q. Was any examination made of the scars on your neck?

A. Yes, sir; they examined my neck here [pointing] where my whiskers had been pulled out, and my side here, [pointing.]

Q. State whether you was also examined by your brother, Doctor C. C. Carroll, after you were discharged from Dixmont.

A. Yes, sir; and by his effort I was taken out.

Q. After you was taken out?

A. Yes, sir.

Q. Where?

A. Why, when he came to Dixmont, there was Doctor Wiley came up with him to my room. I had been quite sick for a few days, and not been out of bed much, and Doctor Wiley came up to my room, and he said, "You appear to be a great deal better." I said I was, and I felt a good deal better than I had.

Q. What I meant to ask you was, whether your brother, Doctor Carroll, examined you before you left the institution in your cell?

A. Yes, sir.

Q. Was anybody present at the time when he examined you?

A. No, sir; Doctor Wiley was in, but I asked him to be kind enough to leave the room until I had talked with my brother, and he done so, and I showed him my injuries.

Q. You then showed him your injuries and related the circumstances?

A. Yes, sir.

Q. How long did you suffer from the effects of these injuries which you received in the hospital?

A. I am suffering yet from the effects of them. Whenever I get a cold my side pains me, and sometimes at night, so that I cannot rest at all.

Q. In the region of the bruises that were inflicted upon you?

A. Yes, sir.

On motion of Major Walker, committee adjourned to meet at ten o'clock, A. M., February 26, A. D. 1883, at the same place.

And now, to wit, February 24, A. D. 1883, committee met pursuant to last adjournment.

Present, Chairman McCrum, Senators McNeill and Hart, Representatives Walker and Graham, C. F. McKenna, Esq., counsel for respondents, and witnesses, and the taking of testimony proceeds.

J. W. CARROLL resumes the stand, and examination continued by Senator Hart:

Q. Mr. Carroll, state what examination your brother gave you at Dixmont.

A. Well, he examined my side. I believe all the examination that was made in Dixmont. He examined the injuries that I had.

Q. Did he examine your neck?

A. Yes, sir; he examined my neck also.

Q. Did he remove your clothing?

A. No, sir; only just to take my clothes—he didn't take them off—just so as to unclothe my side.

Q. Do you remember about going from Dixmont to Oil City in a sleeping-car?

A. Going home?

Q. Yes, sir.

A. Yes, sir.

Q. State whether your brother gave you a further examination on your road home in the sleeping-car.

A. He did in the sleeping-car.

Q. State what examination he gave then.

A. Well, now, he made a more thorough examination of my head and neck; I don't think I called his attention to any marks on my person, on my back or on my knee or on my legs; I don't think I did.

Q. Do you remember whether he made an examination of your privates at that time?

A. He did.

Q. Did you see any other harsh treatment inflicted upon any of the other inmates of Dixmont hospital by the attendants while you were there?

A. I did.

Q. Please go on and state what you saw.

A. Well, I saw so many, it would take me a long time to tell them; I

will state some of the worst cases I saw, and in the wards I saw them; the worst abuse that I saw any one man get in the eighth ward—do you want the names?

Q. Yes, sir; the names of the people.

A. Well, his name was Meyers; he was a patient by the name of Meyers; he was a German; he was a very—what you would call more than an ordinary sized man. But there was a man by the name of Lovell that was a patient. It appears that Lovell and this here German didn't or wasn't on good terms, or hadn't been all the time—always appeared to be a grudge between the two, and one day Lovell and him got into trouble about something, and this German, Lovell got at him, and he knocked Lovell over against a bench, and he kind of just caught upon the seat. I think he struck him with his head. He was sitting down, and when Lovell came up made a jump and struck him and knocked him, and then Harper and some others, I could not say——

By Mr. McKenna:

Q. Harper was an attendant?

A. Yes, sir. He was the ward attendant. He came at Meyers with a leather strap. I think the strap was about two or two and a half feet long, with an iron buckle; there is a buckle on it; he took that with both hands, and he struck Meyers—the buckle struck him right in the back, here, [pointing.] It brought him right down to his knees. He fell on the floor, and then he struck him two or three times with that strap, and chased him into the cell and locked him in there.

Q. Is that all you saw?

A. Oh, no; it was a daily occurrence for him in there to abuse some of the patients.. He had a bunch of keys——

Q. Was that Harper?

A. Yes, sir. I think there was two door keys he had on his string. He had several small keys. It was a kind of leather string, about a foot long, or a foot and a half, a good deal like a heavy shoe-string. He would take that string around his fingers and strike with that bunch of keys just as hard as he could hit them. I saw several men that he struck. I think it was just above the eye here [pointing.]

Q. Do you know the name of the man?

A. I don't know the name of the patient.

By Senator Hart:

Q. Is this the same man—Harper?

A. It is the same man—Harper; it was nothing unusual for him to abuse the patients; a daily occurrence while I was in the eighth ward.

Q. State whether you ever saw any of these injuries inflicted in the presence of Doctor Wylie, Doctor Reed, or the superintendent.

A. No, sir; never did, in the presence of no one.

Q. Can you recollect any other instance of abuse inflicted upon the part of any official?

A. I can.

Q. Please relate it.

By Mr. McKenna:

Q. Is that in the same ward?

A. In the same ward.

Q. Please relate it.

A. I was just going off——I was just going off from my last——

By Senator Hart:

Q. I asked you if you could relate any other instance of abuse being inflicted upon the patients by the attendants?

A. Yes, sir; I can. About three days before I came away—it was the last day I was walking—I had an attack of dysentery, and was laid up in my bed, I think, for two days or three that I wasn't out of my room, or outside of the building, and it was the last time I saw Harper or was outside at all. At the eighth ward, it was on the lower floor, and the grating of bars had been opened so you could see right through. (I suppose you all know how it is.) Well, we was out at that end of the building, and had been down below a piece. I was going up and I heard a fuss there at the eighth ward; there was two or three men standing at the end of the building with a man which called my attention. I walked up to see what was going on. I looked in and here Harper was using that strap on a patient, going with both hands just as hard as he could pound him; says I, "Hello! Harper, what are you doing—have you gone clean, clear crazy, to abuse the man in that kind of style?" He come up and looked, come up to the window, and reached his hand through and says, "Carroll, I am glad to see you," or something to that effect. Says I, "Harper, ain't you ashamed of yourself to abuse a man that way. What do you mean—have you gone wild?" "Well," he said, . . . I didn't hear right what remark he made, but he was white with rage.

By Mr. McKenna:

Q. Do you know the name of that patient?

A. No, sir; I don't know the name.

By Senator Hart:

Q. Was that the eighth ward?

A. That was the eighth ward; I think I was there about nine days in the ward.

Q. Which end of the strap did he use?

A. Why, he used the end that had the buckle on.

Q. I want to ask you, in connection with that last question, what clothing had this patient on at the time this strap was being used?

A. Well, now, that I couldn't tell you; I didn't pay much attention to the patient; whenever I called Harper, why, he walked off and went off to the other side of the building.

Q. Had you seen the patient before this abuse was inflicted upon him, as you know of?

A. Not that I know of; I don't recollect.

Q. Have you any recollection of the mental condition of the patient?

A. I have not; I don't know anything about it. You see, I wasn't in the ward at the time, I was in the sixth ward; I was out for a walk at that time.

Q. How long was that after you had been put in that ward?

A. After I had been put in the sixth ward?

Q. No, no; you were speaking of the eighth ward.

A. Well, I saw this when I was out of the eighth ward;—when I was outside of the building, through the window.

Q. How long after you went to Dixmont?

A. It was just four or five days before I went home—just a few days before I came away; it wasn't over five days before I left.

Q. Where did it occur—in the cell or in the hall?

A. No, it was in the hall.

Q. Can you relate any other instance of maltreatment?

A. I don't know any more than just such treatment of what I have said now. I will just relate one thing—it was several evenings—there was other attendants from other wards would come around to the end of the building of the eighth ward on purpose for to see Harper abuse these men

and see them jump, and stand there and laugh ; I think they came there for that purpose ; anyhow, they came around there and stood and laughed to see Harper abusing them.

By Mr. McKenna :

Q. These attendants—were they from the sixth ward ?

A. Oh, I don't know ; they were persons that belonged some place around there ; I have an idea they were attendants.

By Senator Hart :

Q. Did you ever see any punishment inflicted upon the inmates with anything else than a strap, in the eighth ward ?

A. Nothing only the strap and the keys.

Q. How often did you see the keys used ?

A. That would be pretty hard to tell ; I seen them used several times—a good many times, I think as much as four or five times, anyhow.

Q. On as many different persons ?

A. Well, I have seen them used on about as much as three different patients ; I think I saw this man, Myers, abused the most of any man I saw in there : it appears as though Harper had a spite at him ; him and Lovell didn't get along together, and Harper always sided with Lovell. I have seen that man, Myers, abused three times in one day.

By Mr. McKenna :

Q. Lovell was a patient ?

A. Lovell was a patient.

By Mr. Hart :

Q. Always with this strap ?

A. Just as it happened, whatever would come handy ; sometimes, if he hadn't the strap, just used the keys ; I have seen him just kick him ; I have seen him abused three times in one day, that I recollect of distinctly.

Q. Did the patient resist the abuse ?

A. No, he appeared to be afraid of Harper ; he resisted the abuse of Lovell, but when it came to Harper he was just that afraid he would get right down and stand it.

Q. Was he allowed the liberty of the corridor ?

A. Oh, yes, in the hall, and he was brought to the table to eat, and he was allowed his liberty as much as——

Q. Any other patient ?

A. Yes, sir, about as much as any other patient, except when he would get abused they would put him in the cell and keep him there a few hours and then he would get out again ; I ain't certain but that he was taken out of the eighth ward before I came away, and put in another ward ; it is my impression that he was.

Q. Removed to some other ward ?

A. I think he was ; that is my impression that he was removed to another ward. I may not be correct, though. I recollect of his being brought up into the sixth ward at one time. His wife come, or some of his friends, to see him, and that might have been what gave me the impression that he was removed. Sometimes when visitors would come, and any one that was kept in the eighth ward, they would fetch them to the sixth ward. If some of their friends come to see them they would never let them into the eighth ward.

Q. Were you through many cells in the eighth ward ?

A. I was in every one, I guess. Yes, I had all the privileges in the eighth ward, from the third or fourth day for to go any place.

Q. Were all the cells provided with beds ?

A. No, sir ; some of them is provided and some were not. The way

they done, they had straw ticks, and those that wasn't provided with a bed they would carry in ticks, and put them in the cell, and then in the morning they would take out those ticks, and they had a place of storage, where they would put them through the day and then take them back at night. That was the way that was arranged.

Q. Were they provided with bed-clothes?

A. Well, it was what no man would want to sleep on. I am sure Doctor Wylie would rather go to sleep in a hay-mow than sleep in one of them beds what they have there.

Q. What would it consist of?

A. Well, I will just give you my case. I don't know how it was with every one, of course: as I stated when I was put in the eighth ward, the first night I had no bed, as stated. The second night they gave me a straw tick, and gave me some kind of covering. I know there was a cover of some kind for to cover me. Well, then, in a night or two—I was used that way for one or two nights, and they crowded the institution. They claimed they hadn't room, and they put three of us in a cell. I was put in with two other men in a cell.

Q. How long was that after you went there?

A. That was about the fourth or fifth day, and there was—the two men that was in the cell, there was one of them seemed he was a man that didn't appear to have any control over his bowels at all; just would do his business right whenever it would come handy for him. He had a chamber there, and he would get up to it sometimes. Sometimes he would make it all right, and sometimes he didn't, and it created a fearful stench. There was just one window for ventilation. It wasn't large, and it is very high, too, and three of us in there, and that man in the condition he was. Gentlemen, you might just as well go to sleep in a privy. To tell the honest God's trnth, that is just what it was.

Q. What was the condition of the bed-clothing?

A. The bed-clothing—sometimes we have one tick and sometimes another; just as it happened.

Q. Was it warm and comfortable?

A. I didn't rest comfortably, as far as warmness was concerned. When there was three of us in that cell it was uncomfortable the other way for me. We didn't appear to have fresh air and ventilation. It was the other way with me. The only time I was uncomfortable with clod was the first night I was in there, and I had to lay on the bare floor—that I recollect of being uncomfortable through cold.

Q. Was the bed-clothing washed and changes made?

A. Yes, sir, I think they were; the straw ticks weren't changed as often as they ought to be, on account of some patients being dirty, and took them and put them into my room, where the filth was on the tick, dried, you know.

Q. You mean human excrement, do you?

A. Yes, sir.

Q. Was it dried?

A. Yes, sir, dried, generally; I don't recollect of any of them being damp.

Q. How often were you visited by Doctor Reed during the time of your continuance in the hospital?

A. He never visited me. I never spoke to Doctor Reed, nor he never spoke to me, to my recollection, during the time I was there. I never saw Doctor Reed in the eighth ward, and I never saw Doctor Reed in the sixth ward but once, and that was passing through with visitors; he paid no

attention to the patients as he passed through ; I didn't notice him speak to a patient as he passed through.

Q. Did you ever relate any of the instances of the harsh treatment you saw or received to any of the physicians or attendants at the hospital ?

A. No, I never gave them a detail of it ; the only thing that I done, that I recollect, was to call Doctor Wylie's attention to my side after I was taken——

Q. Did you tell him how you received it ?

A. No, sir, I didn't tell him ; he didn't ask me, as I recollect.

Q. Did he make an examination of it ?

A. He looked at it, and put his hand upon it, and rubbed it, and said, " That is nothing but the effects of malaria." The remark I made : " Malaria, hell ! I don't come from a country where malaria is ; I never heard of malaria breaking a man's ribs, and pounding them up in that kind of a shape." That is about the remark I made to the Doctor. I spoke about Oil City ; says I, " Doctor, there is no malaria about Oil City, like there is about your place—Little York." That is what I understood—that he was from there before ; I don't know but what him and I talked, and he told me that he was from there.

Q. Was medicine prescribed to you ?

A. There was medicine brought to me—yes, sir ; I suppose it was prescribed by the doctors ; I still had the medicine, or something they called medicine ; I called it " sour-drops."

Q. State whether you received any wounds on your shoulder at the time of this scuffle

A. I did, while I was in the eighth ward.

Q. Which shoulder ?

A. On my right shoulder was the worst sore I had on my back ; was over on this [pointing] right shoulder.

Q. Under the shoulder-blade ?

A. Yes, sir ; I think it is under the shoulder-blade ; I couldn't just exactly give the point ; it is back here [pointing] about some place.

Q. Did it leave a scar ?

A. Yes, sir : it did so.

Q. Whom did you show that to ?

A. I don't think that I showed it to anybody at the time.

Q. Did you show it to your brother ?

A. I don't recollect whether I showed that to him at that time, because it was healed up ; if I did I have no recollection of it. I called his attention more to——

Q. You related yesterday about receiving a wound in the back ?

A. There was several sores in my back, and I couldn't tell whether they were cut or not ; I will just tell you how it was : Whenever I was kicked, it appears as though my blood was in bad condition, every one of those places bealed and was running sores for several days, and I suffered a heap from the effects of them ; at first I had no salve nor nothing to rub them with ; they began to dry and hurt me very bad. I spoke to Mr. Brown, one of the superintendents, and he told him, and him or Harper, one of them, got a box of salve, and they got Lovell to come into my room a while to dress my sores ; he done that every day until they were healed up—this Lovell was a patient—the sores that I couldn't dress ; my knee here was swelled up just tight. I was kicked on my knee and bruised bad ; just swelled that bad I couldn't use it at all ; hardly move it, with the pain ; and kept a bandage on it. I was kept pretty close to my cell ; I never was out to see any—neither Doctor Wylie, that I recollect of, or Mr. Caldwell,

or the superintendent, for several days after I was in the institution. The only men I recollect of seeing, distinctly, was this attendant and the man that came in to dress my sores.

Q. Lovell?

A. Lovell; yes, sir.

Q. Did the physicians ever examine those wounds and sores?

A. No, sir.

Q. Or dress them?

A. No, sir.

Q. How often did Doctor Wylie visit the eighth ward?

A. Well, now, Doctor Wylie, I think, was in the eighth ward most every day. It was my impression that I saw him after I got around in the eighth ward—well, I don't know, but he might be in there some days twice. I would say Doctor Wylie was a frequent visitor of the place.

Q. Also the same with reference to the sixth ward?

A. Yes, sir.

Q. And other wards you was in while you was there?

A. The other wards I was only in a short time.

By Chairman McCrum:

Q. Did you ever see Doctor Reed?

A. I never saw Doctor Reed in the eighth ward, and in the sixth ward but once.

By Major Walker:

Q. Did you ever see any of the attendants, when this abuse or maltreatment was inflicted upon yourself or upon any other person, that was intoxicated, or apparently, in any way, under the influence of liquor?

A. Well, now, I could not say that I did; I don't know as they were; if they were, I did not know it.

Q. In polieing the wards, and taking care of them, serubbing them and sweeping out, and work of that character—the menial labor that is performed there—how often is that done, or was it done while you were there?

A. That is done every morning.

Q. Whom was it done by?

A. That is done by the attendant of the ward, who helps sometimes to superintend it, and by the patients.

Q. The patients assist?

A. Yes, sir; they generally do most of the work; he does the bossing of the patients; sometimes he takes hold and helps some; I notice some of them do that, and others—

Q. It is done by the attendants, and assisted at times by the patients, as I understand it?

A. You just have it the other way; the attendants do most of the work, and the patient oversees it.

By Chairman McCrum:

Q. You have got it wrong.

A. Yes, sir; the patient does the work, and the attendant oversees it.

By Major Walker:

Q. The assistance rendered by the patients—is it voluntary assistance, or under compulsion of any kind?

A. Well, now, I never saw any of them object to help to attend to the work; I suppose if they would refuse, there would be compulsion; but I never saw any one that was told to do anything, of the patients, but did what he was told to—helping to sweep out, fixing, and so forth. Generally, each patient made his own bed, when he was fit to do so; and, if he wasn't

fit to do so, there was generally some of the other patients put in to do the work for them.

Q. Was it the custom, Mr. Carroll, of the attendants to detail the patients every morning, or a portion of them, to do this police work?

A. No; they have just a certain part of them they would keep back for this kind of work, constant, right along.

Q. Did they ever request you to assist on any work of this kind?

A. No, sir; only to make my own bed; but, I was such a poor hand at that, they generally made it over for me; I would never get it to suit them. Sometimes I would get it so it would suit them pretty good, and they would let it alone. They generally had, in the sixth ward, the beds made up nicely every night.

By Chairman McCrum:

Q. This work done for the patients was done under the direction of those in authority, was it?

A. Yes, sir; the superintendent.

Q. What time did the patients retire? Was there any rule about the hour they are to retire at night?

A. Oh, yes; we had our set time to retire.

Q. Just you state to the committee what the time was required by the rules.

A. Now, to give an exact hour, that is what I could not do. I don't carry a time-piece; you know the patients can't carry anything in there; but I think it is about nine o'clock that we retired.

Q. Is there any signal given at any time by which you know the time has arrived at which the patients are to retire?

A. I think so.

Q. What kind of a signal is it?

A. Well, now, that is something I hadn't thought anything about. I know we was regular about going to bed, and regular about getting up. We had a signal about getting up in the morning. I think there was a bell for going to bed and getting up both; that is my impression; I would not be real positive about that.

Q. After you retire, does the attendant lock the cell?

A. Yes, sir.

Q. Are they all locked?

A. All locked.

Q. Do they so remain during the night?

A. They remain locked during the night.

Q. What time are they unlocked?

A. At an early hour; time to get up.

Q. In the cell where you were locked up every night, had you a urinal or water-closet, or anything of that kind?

A. I had a chamber in the sixth ward.

Q. I suppose they are all alike, so far as that is concerned?

A. No, that is the way they do; they give them a chamber.

Q. Just answer my question. You understand what I mean by urinal, do you not? Where you draw your water off and it runs away.

A. Yes, sir.

Q. Was there a urinal in the cell?

A. No, sir.

Q. Was there any place to relieve yourself except by the chamber?

A. No, sir.

Q. Nothing in your cell at all?

A. No, sir.

Q. If you had occasion at any time of night to go to the bath-room, or to the closet, would you not have an opportunity to go there?

A. No, sir.

Q. That is the rule of the institution?

A. I believe so. I do not recollect of any cell I was in of anything of that kind.

Q. Mr. Carroll, did you have occasion to use the bath-room during the night?

A. I did. The first night there was no chamber in my room.

Q. At any time?

A. Well, I only used——

Q. I am not asking you what you did use; I am asking you if you had occasion to use the bath-room?

A. Yes, sir; I did.

Q. Now, can you make known—was there any way of making known—to the attendants if you desired to go to the bath-room after you are locked up?

A. No, sir.

Q. If you desired to go to the bath-room you could not indicate that desire to the attendants?

A. No, sir.

By Mr. McNeill:

Q. Mr. Carroll, what class of patients were in this eighth ward?

A. Why, they were the worst class; they had the wildest patients.

Q. I think you said it was a sort of convalescent ward, on Saturday.

A. No, sir; not as I recollect of; I don't think I did; I don't recollect of it. I will just tell you what kind of patients. They are the wildest ones they have got, and any ones that they can't control very handy in the other wards——

Q. Are placed in that ward?

A. Yes, sir.

Q. The sixth ward is a degree better?

A. Yes, sir; a degree better. The patients in there, you might call them of a more sane character.

By Mr. Walker:

Q. You spoke here some time ago, and I think in your examination also, of the straps being used by the attendants for the purpose of inflicting punishment upon the patients.

A. Nothing, only one strap I saw Harper use, with a buckle.

Q. Do you know what that strap was for?

A. Commonly for?

Q. Yes, sir.

A. I could not tell that. I will tell you what I think. It looked as if it had been for the breast strap of a harness. It was a double buckle, I think.

Q. Did you ever see the strap used more than the one time you mention?

A. I saw it used frequently—three or four times.

Q. By the same person?

A. By the same person, on different persons, I think.

Q. What was the impression made on your mind, from what you saw, that the use of the strap was for, so far as being in the possession of the attendants—what did he bring it into the ward for?

A. Just for the purpose of abusing the patients, what I seen.

Q. You did see him abuse the patients?

A. I did.

Q. Did he take it away with him when he retired ?

A. Yes, sir ; generally took it out with him wherever he went ; I think he generally kept it in his room.

By Mr. McKenna :

Q. As I understand you, Mr. Carroll, Harper was the only attendant you ever saw using the strap ?

A. Yes, sir ; he was the only attendant I ever saw abusing the patients there.

Q. You saw him five or six times, you think ?

A. Yes, sir.

Q. Was that in the eighth ward ?

A. Yes, sir ; in the eighth ward.

Q. He never used the strap on you, did he ?

A. No, sir ; never on me.

By Mr. Hart :

Q. State if you saw any patients maltreated while you were in the eighth ward ; and if so, where was it ?

A. I did see in a brutal manner. I saw a man by the name of Swampson. He was brought there after I was taken there. Yes, sir ; I am pretty positive of it ; I will describe the man. He was very tall and slim built, and his trouble had been brought on from fits. He was brought there, and after he had been in the ward some time, the attendant, whose name was Jamison, I think—I think it was one evening after church, or one evening after some meeting going on in the hall—no, it wasn't, either ; I think it was on Saturday evening, after they had changed their clothes, and in changing clothes he had mislaid one of his socks and could not find it, and Jamison told him to "go and hunt your sock up." He went and hunted around, and came back and said he could not find it ; and Jamison says, "Now," says he, "go and hunt up that sock, I tell you." And he started, and he went and hunted around, and was gone for quite a little while, and he told Jamison he could not find the sock——

Q. How is that ?

A. He hunted for some time for the sock and told him he could not find it, and Jamison said, "I will make you find it." Well, he jumped at him and they elenched, and it appears as though Swampson fell on top when he fell, but Jamison he turned him, and after getting up before Swampson did, and while he was down, kicked him ; kicked him in the most brutal manner ; and he begged, and prayed "For God's sake, don't kill me," and went and made quite a prayer for the Lord to come and protect him. And after he had abused him in the manner he had, just left him lay on the floor there, and Swampson went into fits and worked in spasms for some time ; that was the first time I seen him have a spasm ; I never seen him have a spasm until then.

Q. Whereabouts on his body did he kick him ?

A. Just wherever he could get a chance ; that was only a little while before I come out ; I think it was only about two days before I came out of the institution. I was lying down on my bed in my room when it first commenced ; I heard what was said, my door was open, and when they got into the racket I went and got up and stood at the door ; it was in the hall and I seen the whole thing. And there is another thing that I will relate—the other attendant, he was the dining-room attendant——

By Mr. McKenna :

Q. Who was he ?

A. The dining-room attendant ; I don't know his name ; I could not give it ; there was an old man that was taken there, from Pittsburgh there.

By Mr. Hart :

Q. Do you know his name?

A. Well, no ; nothing more than Captain. I could describe the man so that folks about Pittsburgh would know who he was. I think they said he had been captain of a steamboat. They said that at one time he was one of the wealthiest men about the city ; I don't know how true it was ; they called him Captain. They had to give him injections most every night. They gave him an injection, and in doing so this young attendant—the old man they had him placed so, and another attendant generally gave him the injection, and the young attendant stood in front and kept the old man in his place. The old man would groan and squirm around, and the young attendant would slap him in the face and say, “ Captain, I am going to kill you ; I am killing you,” and the old fellow would groan, and he would hit him just with his open hand ; I saw that several nights.

Q. The same attendant?

A. The same attendant.

Q. Was he the only one?

A. He was the only one that I saw slap the old gentleman, and the only abuse I saw the other attendant give this man, Swampson. So far as my case was, he was very good to me.

Q. Mr. Jamaison?

A. Mr. Jamaison ; him and me got along first rate ; he would call there with me and treat me very kindly.

Q. Is there any other instance that you can relate?

A. The other is the only instance I can recollect in the sixth ward. Well, there is one thing that I will relate ; I called Doctor Wylie's attention to it here ; there was no abuse or anything of the kind, it was simply about my victuals. I never could eat cabbage or tomatoes. Cabbage ! You might just as well give me a dose of medicine as to put it on my plate. I cannot eat anything that would touch it. Well, the principal sauce was cabbage and tomatoes the time I was there, that was the usual sauce ; they fetched tomatoes and cabbage to me, and they had cabbage on my plate with the other victuals, and it would spoil the whole thing for me so I could not eat, and I requested the attendant, you know, to try to get him not to fetch cabbage on the plate to me ; says I, “ For God's sake keep it off my plate, I can't eat anything.” So, one day, at dinner time, he brought it on as usual ; it had run so long I got tired. I thought I would carry it back to him and see if I could not make him change it. He carried it back to the end of the dining-room where they took the victuals and put them out, and swore at me to get back to my place or he would put me back.

Q. Who did?

A. The dining-room attendant ; he came toward me ; I walked back a piece and he followed me, and I walked further back and he kept right up with me to my place, and a chair was handy and I took it up ; said I, “ You step another step and I will smash you ; you go right back.” Just about that time Doctor Wiley came to the door. He says, “ What is the fuss ?” I told him what it was, and he says, “ Here, now,” says he, “ after this, you don't put any more cabbage on Carroll's dish.” So, after that I never had any more trouble.

Q. Is there anything further that occurs to you in reference to your own treatment or the treatment of others, that you noticed?

A. While in that ward?

Q. In that ward.

A. No, sir.

By Mr. McKenna :

Q. In the sixth ward ?

A. Yes, sir.

By Mr. Graham :

Q. Had you always a plentiful supply of victuals ?

A. Yes, sir.

Q. Always enough ?

A. Always enough—I mean of some things—there was enough of some things as a general thing ; but so far as meat and butter and such things as that, we didn't have a plentiful supply ; each one had his allowance of meat and butter and potatoes put down to him there, and sometimes I would get a small piece of butter not big enough to spread more than one piece of bread, and when we got butter we seldom had meat, and when we got meat we very seldom had butter ; that was about the way of it in the sixth ward, and while I was in the eighth ward I fared better, so far as victuals was concerned.

Q. What was their daily routine of victuals ? What was your supply, daily, for breakfast, dinner, and supper, taking every day ?

A. Well, during the time I was there we had cabbage and potatoes ; sometimes there would be a change of potatoes, sometimes we had sweet potatoes.

Q. That is for dinner ?

A. Yes, sir ; but there wasn't a day that I recollect of that there wasn't cabbage or tomatoes on the table, and meat put up would be either boiled or stewed meat.

Q. And coffee and tea ?

A. Coffee—we had coffee and tea both. I never drank much tea ; but I know that I got all the coffee that I wanted, so far as that was concerned.

By Mr. Hart :

Q. Did you discover any distinction between the patients in reference to food that was furnished ?

A. No ; not to be a general thing ; there was sometimes that I would see that some patients got a good deal better than others, and a better supply ; but then, as a general thing— Then there would be times that patients would not get as good as those. I didn't see as there appeared to be any distinction.

Q. All appeared to be treated alike ?

A. All appeared to be treated alike. The reason I fared better in the eighth ward than in the sixth ward was, the attendants they divided what they got with me. Mr. Brown, he sat alongside of me, and they got better rations than the patients, so I fared better, so far as victuals was concerned, than I did in the sixth ward.

Q. Did you get eggs sometimes ?

A. No, sir ; I don't recollect of ever any eggs brought on ; if there was any brought while I was there I have no recollection of it. I think we had roast chicken or turkey once or twice, may be more than that.

Cross-examination.

By Mr. McKenna :

Q. Can you name the attendants, such as you recollect, in the sixth ward ?

A. No, sir ; the sixth ward was the eighth ward.

Q. The eighth ward ?

A. Yes, sir.

Q. Have you any recollection of who the attendants were—their names ?

A. Oh, yes ; I recollect them very well.

Q. Please state their names.

A. Well, as far as one of their given names is concerned, I would not be real positive; but I think it was James McConnell, and I ain't positive whether it was James or not, that is my impression. So far as the other attendant is concerned I am positive about his name; his name is Walter Scott Brown.

By Mr. Graham :

Q. How many patients would you suppose—I do not suppose you know exactly—how many patients are in each ward, according to your judgment?

A. Well, now, I wil' just tell you it would take a little while to answer that question. The only way I could come at that, and get it any ways near, would be to calculate how many sat at the table.

Q. I want merely a rough estimate. I don't expect to get down to exact numbers.

A. Let me think—we had two tables in the eighth ward, I think they were generally full; then there was some of them ate in the room. About the length of the table I don't recollect. I think there must have been forty or fifty patients.

Q. In the eighth ward?

A. Yes, sir.

Q. How many attendants were there?

A. Just two.

Q. Just two to each ward?

A. Two to a ward.

Q. Did they attend night and day?

A. Yes, sir.

By Mr. McKenna :

Q. You say there were forty or fifty patients in each ward?

A. Well, I would not be positive; there may be more, or not quite that many.

Q. Just go back where we were; I would like to get the names of the attendants.

A. All right.

Q. In the eighth ward, where you were placed, you say there were two; one you think was James McConnell, and the other W. S. Brown?

A. No—no; McConnell wasn't an attendant; if I give his name——

Q. He wasn't an attendant?

A. No, sir, he wasn't an attendant, but he took his meals there.

Q. Was he attendant?

A. No; I think he had charge of some men outside; the attendants were Brown and Harper.

Q. What is Harper's first name?

A. Well, now, I would not tell you about Harper's first name.

Q. Those are the two men in whose hands you first fell in the eighth ward?

A. Yes, sir. If they put down McConnell for an attendant, I want that corrected.

Q. Do you mean to say there would be three men in there—McConnell, Harper, and——

A. Yes, sir, at nights, those three; McConnell would be out with the men in the day time; he would take his meals there at noon and at night.

Q. That is, McConnell did?

A. Yes, sir.

Q. He helped to make the beds and clean up with the patients?

A. I have never seen him do any work.

Q. In the sixth ward, which you were advanced to after you had been there a short while——

A. Yes, sir.

Q. How long were you there before you were transferred to that?

A. I think about nine days.

Q. Can you recollect the names of the attendants there?

A. One of them—his name was Jamaison.

Q. How many attendants were there?

A. There were two.

Q. They hadn't a supernumerary there, like they had in the eighth ward?

A. Well, this man he just took his meals there; he didn't do any work at all.

Q. Was there any such person in the sixth ward to serve like McConnell?

A. No, sir; not that I know of.

Q. Your experience—actual confinement—was in these two wards, was it—the eighth and sixth?

A. Yes, sir.

Q. In no other ward?

A. No, sir; in no other ward.

Q. When you got in the sixth ward—which you said was for patients in a better mental condition than in the eighth ward——

A. Yes, sir.

Q. You were allowed out in the ground occasionally?

A. Yes, sir.

Q. How soon were you allowed the privilege of the ground?

A. Oh, I was taken out when I was in the eighth ward, too.

Q. You were taken out in the eighth ward, too?

A. Yes, sir; Mr. Brown let me go out with him, the first day I was taken out. I will make mention of it, if you want.

Q. Yes, sir.

A. I think it was about not more than four or five days or a week from the time I was in. Mr. Brown, he was going up to the barn to fill some straw ticks, and he took some patients with him, and he let me go along, and we took our time; I could not get along very fast; we got up there. Mr. Brown, he says, "Would you like a drink of eider?" I said "Yes." He says, "You can get one by just going down there a little in the orchard." So I walked down to the eider-press. There was a man there, and I got a drink of eider, and sat there, I suppose, ten or fifteen minutes, maybe more, until I thought likely they would be through with their work, and I went back up; they were still filling their ticks there. I asked Mr. Brown if there was a privy handy there, and he told me there was, and told me where I would find it, around below, and I went to it. So then, after I got through with the privy, I went up to the barn. They got through with the ticks; and Brown, he says, "Wouldn't you like to have some chestnuts?" I said, "Yes, I would." "Well," says he, "there is some chestnuts below here." We went down below the barn, across the road, and we picked some chestnuts, and Mr. Brown gave me every chance to get away that I wanted to. I noticed that, and thought that many times after. I didn't understand it. Instead of keeping an eye on me, and close by me, he was always warm, friendly, and gave me a chance to talk, if I wanted, and opportunity to get away. The way it was with me, I knew it was no use. I thought I wasn't going to be kept only a few days. This man Jamaison, (I understand he is dead,) from Crawford county, he gave me a whole history of it, and, from what he told me, there

was no use in my trying to get away in my shape, at that time, or I surely would have tried to have got away.

By Major Walker :

Q. What do you mean by shape ?

A. Why, I was in such a shape physically from abuse, that I could scarcely walk around.

By Mr. McKenna :

Q. That was the first day you say ?

A. Yes, sir.

Q. Were you allowed out any other day ?

A. Yes, sir.

Q. From the eighth ward ?

A. Yes, sir.

Q. Were you allowed out daily ?

A. No ; I don't think that I was out daily.

Q. How often were you out ?

A. I think two or three times while I was in the eighth ward ; Mr. Brown took me out.

Q. Did they force you out ? or let you go out voluntarily ?

A. Oh ! no.

Q. It was just left to you own option ?

A. Just left to my own option.

Q. Was Brown pretty kind to you generally ?

A. Yes, sir ; he was.

Q. During your stay there ?

A. Yes, sir.

Q. Did not the attendants live in the ward ?

A. In the ward ?

Q. Yes, sir.

A. Why, yes ; they had a room in each ward.

Q. Do you know whether it was a common thing for them to get up at night ?

A. The attendants ?

Q. Yes, sir.

A. They would not get up without there was some fuss some place.

Q. Well, if they would knock at the door, and make a noise would it not arouse them—do you know of them getting up at all ?

A. No, only one night ; there was some trouble in one ward, I think it was adjoining my own ; and this man who would not keep quiet, but made a noise that disturbed them ; that he could not sleep but there was some one in with them, and they got into a fuss among themselves, but they got up and unlocked the door, and gave him a pounding—

Q. You don't know that ?

A. No, sir ; I did not see it, only just heard it.

Q. You don't know that of your own knowledge ?

A. No, I could hear it going on.

Q. At the end of nine days you were taken to the eighth ward ?

A. To the best of my recollection it was about the ninth day.

Q. Did you get over the ground that you got there ?

A. When I was with an attendant.

Q. Who was that attendant ?

A. That attendant was Jamison.

Q. Did the dining-room attendant ever go out ?

A. Oh ! yes ; sometimes he would go out. Sometimes in that—I will

tell you how that was generally. When I went out I went generally with Jamison, sometimes he would take out a squad.

Q. How long would you stay out?

A. That would depend on the circumstances.

Q. The weather, I suppose?

A. Yes, sir.

Q. How long would you stay out.

A. The longest time I knew of being out, we was out pretty near all the afternoon of one day. We started, there was different wards, the attendants some of them from the first ward—I don't recollect whether there was any from the eighth ward. I would not be positive of that, but there was several wards, two or three together, and we went out and struck the hill below the barn, and followed that ravine fully three miles——

Q. Was it a kind of a picnic? How many would be in a party?

A. Well, there was quite a number of us. I suppose over fifty altogether. I could not state about the number. I know there was quite a squad. I think there was part of two or three wards. I know there was two wards, anyhow—first and sixth.

Q. Did you have your dinner along?

A. No, sir.

Q. You got that after you got back to the institution?

A. Yes, sir; then we got our dinner.

Q. The first day you went out with Mr. Brown, how many were with you?

A. There was only a few; I think he only had about four.

Q. Where did you go?

A. We just went below the barn to the chestnut tree. It was not in thick wood timber.

Q. Did they go down to that barn frequently and fill ticks?

A. I don't know. I never was along but once. They might have brought ticks into the ward and I might not recollect. Of course they must have done it. I think just at that time it was just about house-cleaning. They cleaned that ward out and filled the ticks. I don't think there was any more ticks filled during the time I was in the eighth ward.

Q. That you saw?

A. No, sir.

Q. Mr. Carroll, you have named what attendants that you know personally by name, Jamison, Brown, and a man whom you don't designate as an attendant, but who had access to the ward, McConnell, were about all.

A. That is all the attendants in them two wards.

Q. Is that all you can name? Do you know of any other?

A. Why, there is one attendant in the first ward——

Q. Were you in the first ward awhile?

A. Yes, three or four hours.

Q. That is the day you arrived?

A. Yes, sir.

Q. Who is the attendant there? Do you know?

A. It will take me a little while to call it to memory.

Q. Well, you may think of it probably before we get through. How long had you been suffering, before you were taken to Dixmont, in your mind?

A. I think about five or six days. No, I ain't got just the days; I can give you a little idea; let me see. I don't think I was suffering more than five days with my mind.

Q. Did I understand you to say in your examination-in-chief that you rather acquiesced in the arrangement to send you to Dixmont?

A. I didn't know they were going to take me to Dixmont when we started.

Q. You helped to put on the strait-jacket?

A. I helped to put it on.

Q. Had you a shirt on under it?

A. No, sir.

Q. Why did you not keep your shirt on?

A. I will tell you how that was. Awhile before they gave me a shirt, and I dressed myself, and I tore the shirt off myself, and then they gave me a strait-jacket, and I helped put it on.

Q. You had the shirt on?

A. I hadn't it on just before they came with the jacket.

Q. Did you have the strait-jacket on before?

A. Before I went to Dixmont.

Q. Where was that put on? At Oil City, or where?

A. At my place.

Q. Where is that?

A. Just outside of Oil City.

Q. Did you know what it was when you helped to put it on?

A. No, sir; I didn't know. I thought it was a shirt I was putting on.

Q. How far from Oil City do you live?

A. About a mile from the post-office.

Q. How did you go to Oil City? Did you walk?

A. Did I walk? No, sir.

Q. How did you go?

A. Go in a spring wagon.

Q. Had you the strait-jacket on?

A. Yes, sir.

Q. Who was with you?

A. Well, there was a man by the name of Wilson who rode in the wagon down, and I think a man by the name of Bennett that rode down in the wagon, and a boy that drove the horse—his last name was Egan.

Q. Did you know that at the time?

A. Yes, sir: I knew that at the time.

Q. You were conscious during the whole time?

A. I knew who was with me.

Q. Were you at all violent?

A. I was by spells.

Q. Were you tied to the wagon?

A. No, sir.

Q. Were you sitting up?

A. Yes, sir; sitting on the seat. I think one on each side of me. The seat was a high one.

Q. Had you any paroxysms?

A. Yes, sir; one.

Q. What did they do with you?

A. I didn't do anything. All I done, a boy was sitting in front. I just took my foot. I thought I would hoist him in the seat, which is about all.

Q. How many paroxysms, before your friends put on that strait-jacket, did you have at Oil City?

A. Well, I had several at home.

Q. Were they very violent, or just mild?

A. I was pretty wild by spells.

Q. Do you know who advised putting the jacket on?

A. I don't know that.

Q. Was your brother physician at Oil City at that time—was he about there then?

A. He was there. Yes, sir.

Q. Was he there when the strait-jacket was put on you?

A. Yes, sir.

Q. Do you mean, Mr. Carroll, now, that you can recollect all that took place during this paroxysm?

A. No, sir; not all.

Q. Well, what did you appear to think?

A. Well, a good many things I recollect very distinctly. Those that would come in—my neighbors. I don't think there was a person that got there but what I would recollect, and I recollect most all that I said to them. Any person I didn't think anything of I let them know right straight.

Q. You would speak right out?

A. Speak right out whatever I thought.

Q. Who came with you from Oil City to Pittsburgh on the cars; who had charge of you?

A. Doctor Harding and a man named Wilson—Mark Wilson.

Q. Your brother didn't go along?

A. No, sir.

Q. You had a strait-jacket on the way down?

A. Yes, sir.

Q. Had you any paroxysms on the way down?

A. Yes, sir.

Q. How many?

A. I could not tell. A couple, or three likely.

Q. You understand what I mean by paroxysms?

A. Now explain what you mean.

Q. You call your spells violent spells—I suppose you would call them. You were delirious and unmanageable?

A. I don't know that I was unmanageable, as far as that was concerned, but I would get kind of wild by spells.

Q. This is synonymous.

A. Not accountable for what I did.

Q. When desirous, you were not able to control yourself?

A. I didn't try to control myself, I am sure.

Q. When you came down to the city did you stop at any hotel here, or go straight to Dixmont?

A. Went down to Dixmont.

Q. Did you know, when you arrived there, the place?

A. At Dixmont?

Q. Yes, sir.

A. I knew when I got to Pittsburgh, and I knew all the places along the river. I never had been at Dixmont before, and didn't know where they were going to take me.

Q. Where was the last place you had a spell?

A. I think it was above Kittanning.

Q. When you hadn't those spells did you not take the strait-jacket off?

A. No, sir.

Q. Just kept it on whether you had a spell or not?

A. Yes, sir.

Q. No shirt on you?

A. No, sir.

Q. You don't know whether in your violence, and handling yourself with the strait-jacket and no shirt on, whether you tore your skin or bruised it, or anything of that kind?

A. I don't think I did.

Q. You could not tell that?

A. I feel certain I didn't. There was no bruise on me when I went into that institution. The only sore——

Q. Then, do I understand in your statement, that these spells were very mild, or were they violent? Describe them.

A. Yes, sir. I had only one spell coming down that I was anyways ugly. I recollect that.

Q. Was that very wild, or just a mild spell?

A. No, no; it was not very wild.

Q. Just tell us what you did.

A. Well, there was Dr. Harding. I wanted him to loosen or take the strait-jacket off of me, and he wouldn't do it, and he was sitting in the seat—I think the seats were fronting—I was sitting fronting him, and I kicked him in the breast, and struck him about here, [pointing.] That was the only thing. So Dr. Harding got up and got around to the end of the seat, and he talked with me. Says he, "I am your best friend; you oughtn't to do it." I said "If you are my best friend, why don't you take this jacket off?" This is the only thing I recollect of showing any violence to any one.

Q. I understood you to say, in your examination-in-chief, when you were asked about it, that you helped to put on this strait-jacket—why did you want it on?

A. I didn't know at the time I was putting it on, but thought I was getting a shirt on.

Q. Dr. Harding, who took you to Dixmont, lives where?

A. Well, he did live at that time at Oil City.

Q. Where does he live now?

A. I don't know that.

Q. Has he removed from there?

A. He has removed from there.

Q. To where—do you know?

A. I understand he has gone out to Denver.

Q. Colorado?

A. Yes, sir.

Q. He had been your family physician, had he?

A. Yes, sir.

Q. And examined your case?

A. Yes, sir.

Q. As soon as you discovered that you were being taken to Dixmont, didn't you resist very much and feel that you had been deceived?

A. Yes; I didn't know positive that they were taking me to Dixmont; thought they were taking me to Dixmont.

Q. How soon did you discover it—soon after you got to the institution?

A. Yes, sir.

Q. As soon as you discovered they had deceived you, in not telling you they were taking you to Dixmont, did it make you much worse?

A. Yes, sir.

Q. How did you show that indignation?

A. Well, I cannot tell just how I did show it.

Q. Did you take any spell?

A. I did. I got wild over it.

Q. And did you manifest that to the committee or attendants who received you?

A. Well, I don't know.

Q. They took you to your room?

A. I will tell you how that was as nigh as I can. I didn't know when I was first taken in there; but they told me they were taking me to the hotel.

Q. Who told you that?

A. Dr. Harding and Mr. Wilson would have me to go in there and change my clothes, and get washed, and take the strait-jacket off me, and put on my clothes, which they did. After they washed me they gave me my clothes and I dressed up, and they gave me a room in which was a very comfortable bed and all; all looked very well in there, and I went in and sat there and began to think the matter over.

Q. Say how long?

A. From what I had seen of the patients in there I knew where I was, and after I had thought it over for awhile, why, it upset me, and I came out into the hall, and they ordered me back in the room, and I went in and sat again for a while and came out, and they ordered me back a second time, and then they locked the door. In the statement I made before I forgot to state that they locked the door, in my other statement on Saturday's examination, so it would be well enough to correct it. Then I pounded on the door for to get out, and I became pretty wild. I pounded on the door to draw their attention to get out, so that I suppose I made some fuss; no doubt but what I did. They opened the door. There was four of them standing ready when I got out. The first thing they went to striking and kicking me. I ran down the hall a piece, and then they knocked me down, and they kicked me until I became unconscious.

Q. Who were those four?

A. They were two attendants and two patients.

Q. Who were they? Do you know?

A. One of the attendants. I don't know whether I thought of his name. I could not think of his name. Well, now, hold on a minute. Parks I think it was. It was either Parks or Sparks.

Q. There was a man named Parks there.

A. Well, then, it was Parks.

Q. I want to ask you, Mr. Carroll, when you first got into Dixmont whether the authorities there didn't order your strait-jacket to be taken off?

A. I don't know whether the authorities ordered anything about it.

Q. Didn't they take it off as a matter of fact?

A. That was the first thing that was done. I can tell you when I first went there the first man that I saw, that I know of, was Doctor Wylie. Doctor Wylie met us right there and went with us to see me in the first ward. I thought I knew Doctor Wylie; I took him to be a man who lived in Oil City. I know that I spoke to him very friendly, at least I think I did, and I told him I didn't expect to see him there; and then they took me into the ward and walked right straight through to the bath-room and there undressed me, and took the strait-jacket off, and where the blister had been on my back the blister had been taken off and there was a cloth put on to keep from rubbing; well, they—I think that the cloth, part of it, worked off the spot where the blister had been, and one of the attendants, I could not say which one it was now, just grabbed hold of it and jerked it off.

Q. At the time you was in the bath-room did you know you was in Dixmont?

A. No ; I thought I was going to an hotel.

Q. Did they tell you then?

A. At Dixmont?

Q. Yes, sir.

A. No, sir.

Q. Did you know Mr. Caldwell?

A. Yes, sir.

Q. Didn't he go into that bath-room, too?

A. Not that I recollect of.

Q. After you got through bathing, didn't they furnish you a shirt?

A. They gave me my own clothes.

Q. You put on a shirt, and didn't put on a strait-jacket right away?

A. Oh! no; I dressed up and they gave me my shirt.

Q. Who ordered that; do you know?

A. I don't know; they was brought to me there.

Q. Then you went to your room?

A. Yes, sir.

Q. How long were you in there before you discovered you were in Dixmont?

A. It was my impression when I came back from the bath-room.

Q. Was that after you sat down in the room and thought over it? You said a while ago that you sat down in your room and began thinking over it; seeing wards, you thought there was something wrong; was that before the bath or after it?

A. Afterward.

Q. You say now, when you were in the bath-room you concluded you were in an insane asylum. Is that correct?

A. Yes, sir.

Q. Then, when you discovered you were within an insane asylum, did you not resist very violently?

A. I may have.

Q. Didn't you feel you had been imposed upon by your friends, leading you to believe that you were going to a hotel?

A. I don't know what was going on in my mind at the time.

Q. Your strait-jacket was off?

A. Yes, sir.

Q. You had the use of your arms?

A. Yes, sir.

Q. You describe what the attendants did to you—can you describe what you did on that occasion?

A. I don't know; I tried to get away.

Q. How long were you in the bath-room?

A. I don't know; only a few minutes; just long enough to take a bath.

Q. Where was it that you met Dr. Wiley and had a talk with him?

A. I didn't have much talk with him.

Q. Was that at the bath-room?

A. No, sir. I don't think Dr. Wiley went into the ward at all. It was before we went into the ward. After I went into the ward, I don't recollect it.

Q. After the both spells you had there, you say you went back to your room and stayed there about twenty minutes, and then you got knocking at the door again?

A. That was the second time.

Q. Did you get violent then?

A. Yes, sir; I was not violent there. I wanted out.

Q. You stated awhile ago, in my cross-examination, you got a little boisterous?

A. I suppose I did.

Q. What do you mean by that?

A. I just told you how it was; I was middling wild; I could not tell just exactly when these spells came on me.

Q. You was five hours in the first ward?

A. I didn't say exactly. I would think I was in there that length of time; maybe longer; I am not quite certain.

Q. Have you pretty good recollection of what transpired during the time you was there?

A. I have of what transpired, and know one thing that transpired after I went in, after they bathed me, and I dressed up as they went along—

Q. What you have stated in your examination-in-chief was, that after they knocked you down you didn't recollect anything until you were in the eighth ward—is that correct?

A. That is correct.

Q. If you recollect all that transpired in the eighth ward, what did you mean, in your examination-in-chief, that you were unconscious until you was removed into the eighth ward?

A. I was conscious until after this occurred; the next time I was conscious was in the evening.

Q. Then you don't recollect all that took place in the first ward?

A. When I was first taken in I do.

Q. Well, the five hours you were there?

A. I don't know I was there five hours; it might not have been two hours. I don't say positive I was in that long. I will tell you just how it happened. After I got that abuse I was not conscious again until I came to myself again in the eighth ward.

Q. What I want to know is how long a period that was.

A. I told you I cannot tell exactly. I could not tell the exact time.

Q. How did you get into the eighth ward; were you carried there or did you walk?

A. No, sir, I walked.

Q. With help or without help?

A. No help.

Q. Then you were conscious when you were walking there?

A. Yes, sir.

Q. On the way from the first to the eighth ward?

A. No, sir.

Q. Are they adjoining wards?

A. Well, I don't think they are.

Q. Was there no intervening ward there?

A. I think there is one intervening between; I would not be positive.

Q. Do you mean to say there was nobody helped you into in eighth ward?

A. I told you I don't know anything about that.

Q. Except that you walked—how did you go?

A. I understood you to ask me how I got into the first ward.

Q. No, from the first to the eighth ward.

A. I knew nothing that transpired from the time I was knocked down in the first ward, until I came to in the eighth ward. I know nothing how I was taken through or anything about it.

Q. Do you know whether you walked there or not?

A. I don't know whether I walked there or they dragged me or anything about it.

Q. Then you claim to be unconscious until you wakened up, or were restored to consciousness in the evening?

A. In the evening; yes, sir.

Q. What time in the day was this difficulty you had described—the knocking down occurrence—what time was it?

A. Well, I think it was in the forenoon.

Q. In the forenoon?

A. Yes, sir.

Q. Do you know what time you arrived in Dixmont?

A. No, I don't know.

Q. Whether it was morning or afternoon?

A. It was the forenoon.

Q. Let me understand, Mr. Carroll, whether this difficulty where you received the bruises you have described, were given to you was in the bath-room or about the room—and subsequently—you have described difficulty in the bath-room where you resisted an effort to bathe you?

A. They did not strike me in the bath-room.

Q. You submitted to that quietly?

A. Yes, sir; I told him I thought he was no gentleman to treat me in that manner; tearing the blister off.

Q. This is where you were notified you were in a lunatic asylum?

A. They did not notify me.

Q. Where you was you discovered it?

A. I discovered it afterward, going back and seeing the patients in there, that I was in a lunatic asylum.

Q. Was that going back from the bath-room?

A. Yes, sir.

Q. How did you act when you discovered that going back to your room; peaceably?

A. I had not thought it over; I took that peaceably.

Q. When you thought it over, how did you act?

A. I got wild.

Q. Violent?

A. I was wild.

Q. When you got out did you see five attendants?

A. I did not say five attendants.

Q. Well, how many was it?

A. I said two attendants and two patients.

Q. They opened the door, and you had the difficulty?

A. Yes, sir.

Q. Mr. Carroll, when you came out of the door, what was done? Just describe it.

A. Well, I told you; the first thing I knowed—that is, when I came out after that from the bath-room into my room, you have reference to?

Q. Yes, sir.

A. I told you I went back from the bath-room.

Q. Can you recollect what you did to these four men?

A. I don't know as I did anything; I have no recollection.

Q. When they came in there and found you in the room?

A. No, sir.

Q. You got out and they assaulted you?

A. Yes, sir.

Q. You became unconscious after they assaulted you and removed you to the eighth ward ?

A. Yes, sir.

Q. How many rooms in the first ward had you been in ?

A. Only one.

Q. Had you a strait-jacket put on you in that ward ?

A. If I had, I had no knowledge of it.

Q. Had you any mufflers or any punishment of that kind put on you there ?

A. If I had I have no knowledge of it ; I think when I came to in the eighth ward there was a strait-jacket on me ; it might have been put on me in that ward for anything that I know.

Q. Do you remember whether, when you got into the eighth ward, you had any spells or not ?

A. Why, yes, sir ; I was wild by spells—I was unconscious by spells—not unconscious, but not in my right mind.

Q. That is what you mean ?

A. Yes, sir.

Q. You claimed all through this, as I understand, Mr. Carroll, to remember what you did when you were violent and to have a recollection of it ?

A. I have a recollection of a good many things ; some things my folks told me of, I had no remembrance of it.

Q. I don't mean what they told you.

A. That is the reason I called your attention to this, to let you know it might be the same way there. There are a great many things I recollect distinctly, and they told me something I had said or done, I had no knowledge of it. It might be the same way in Dixmont.

Q. After you assaulted or struck at the attendants in Dixmont, you have no recollection of it ?

A. No, sir.

Q. Though you do say you do recollect very well what they did ?

A. I recollect all them abusing me.

Q. You have no recollection of resisting them ?

A. I don't know ; I may have. I don't know how that was. I was told in the eighth ward by one of the attendants that I did resist there, but I don't know ; just had his word for it.

Q. Then, your recollection what they did to you is much better than what you did to them ?

A. Of course it is much better. I knew what abusing I was getting, and if I tried to defend myself which would be natural enough for a man to do if he was sane ; I suppose it would be for an insane man also.

On motion of Major Walker, the committee adjourned till two o'clock.

And now, to wit, February 27, A. D. 1883, at 1.30 p. m., committee met pursuant to adjournment.

Present : Chairman McCrum, Senators McNeill and Hart, Representatives Walker and Graham, C. F. McKenna, and J. H. Reed, Esquires, of counsel for respondent, and witnesses, and the hearing of the testimony proceeds.

J. W. CARROLL, Esquire, resumes the stand and cross-examination continued by Mr. McKenna :

Q. Mr. Carroll, I understand you to state that you were taken to Dixmont because of a complaint originating in a cold or headache?

A. Yes, sir.

Q. Who was the doctor that certified to you having a cold and headache?

A. I don't know whether any doctor certified to that or not.

Q. That was your own idea of it, was it?

A. Yes, sir; my own idea of it.

Q. Do you recollect assuming the role of a street preacher under the influence of this cold and headache—do you recollect of assuming the character of a street preacher any place?

A. I talked a good deal; I didn't do any preaching.

Q. Where did you talk?

A. I talked both here——

A. I ask you first where did you talk—Meadville, Titusville, or Oil City?

A. I don't know; but not in any street without it was on my way here; I might have said something.

Q. Were you possessed of the delusion that you were Christ?

A. No, sir; not that I know of.

Q. Didn't you announce that to persons in Oil City?

A. I might have said something to that effect; I don't know whether I did or not.

Q. Wasn't you under the delusion that your calling was to answer Ingersol?

A. No, sir; not that I remember.

Q. What do you remember about that—the subject of your delusion? Tell us frankly.

A. I don't remember very much; sometimes I would talk one way and sometimes another.

Q. About what?

A. I suppose from the fact—I will tell you just how it was; you want to know?

Q. Yes, sir; we want to know what your delusions were.

A. Yes, sir. Well, I couldn't tell exactly; it was the Bible; it was not a settled delusion at all; there was nothing settled about my mind.

Q. What was the unsettled delusion that you had?

A. Well, I don't know that I had any particular delusion; if I had, I don't know.

Q. Had you any delusion about the devil being in your throat?

A. No, sir; none whatever.

Q. Or being possessed of a devil in any way?

A. No, sir; not a particle.

Q. Do you remember of breaking windows and furniture before you were sent to Dixmont?

A. No, sir; I don't remember breaking any furniture; I remember of throwing a window out, but I don't think it broke a pane.

Q. Where was that?

A. At home—in my own house.

Q. Do you remember throwing your brother's watch out of the house?

A. I don't think I threw it out of the house; it was in the house.

Q. Where did you see it?

A. It was in the sitting-room.

Q. Where did you throw it to?

A. Across the room.

Q. Did you know what you were doing?

A. By spells I did.

Q. Had you any religious excitement at all before you were sent to Dixmont?

A. No, sir; I hadn't any religious excitement; I attended camp meeting; I was at Oil City.

Q. How long before you were sent to Dixmont?

A. About two weeks. I think that was one trouble, that I ran a hack backwards and forwards, and didn't get in until near morning.

Q. Were you much excited about the camp meeting?

A. No, I wasn't excited during camp meeting; nothing excited me during the camp meeting.

Q. Would you say the certificate of Doctor Harding, made out on the 30th of September, 1879, on which you were admitted to Dixmont, and where he says your delusion was you think you are God, and then, again, you undertake to prove that both God and Christ are impostors—do you think that statement is correct?

A. He might be under the impression—of my talk—that was my delusion.

Q. Did you talk that at all?

A. Not to my recollection; I recollect saying a good deal about religious matters.

Q. Are those matters certified by Doctor Harding true or not true?

A. They are not true, to the best of my knowledge; I had no delusion of any kind; there was nothing—

Q. Let us know whether you mean by that you have forgotten, that you were unconscious during that period, or Doctor Harding made that certificate up falsely?

A. No, sir; I believe Doctor Harding certified to what he believed to be true. He might have thought I had a delusion of that kind, and I might have talked; but, so far as expressing my—

Q. Mr. Carroll, who is most likely to be mistaken?

A. Well, I say that Doctor Harding might have thought that I had a delusion of that kind; but so far as having a delusion of that kind, I have no knowledge of it.

Q. Now, answer the question. Do you mean by that, that you have forgotten it?

A. I have forgotten a good many things; I say, I know I talked on these matters, and talked in reference to Ingersol's lecture, and in reference to Ingersol, I suppose, too; I suppose I gave my opinion of what I thought about the man, most likely.

Q. Where was that?

A. That was at my own place.

Q. Didn't you on the streets—the public streets?

A. Where was I on the public streets?

Q. That is what I am asking you.

A. I never was on the streets—

Q. Is that part of Doctor Harding's certificate to the Dixmont authorities wherein he said that you thought the devil was in your throat, and spoke of taking a knife and cutting him out? If Doctor Harding certified that to the Dixmont authorities, would you say that was your delusion?

A. I would say I had no delusion of that kind.

Q. The Doctor would be, then, mistaken on that?

A. He was surely mistaken on that.

Q. If the Doctor certified to Dixmont that you were fixed in your opinions and these delusions; that you were hard to control, and goes about preaching, and if persons didn't accept his views, he is in for doing

them some bodily harm, you would say the Doctor would be mistaken in that?

A. He would be mistaken in that, too.

Q. You never harbored any such delusion?

A. Not that I know of. If I made any such statement as that, I have no knowledge of it.

Q. Have you any objections, Mr. Carroll, as to being examined by respectable physicians as to the condition of your ribs and body, &c.?

A. Not a particle.

Q. Your physical condition?

A. No, sir.

Q. You will submit to it?

A. Yes, sir.

Q. Mr. Carroll, when Doctor Harding certified, as he did in this certificate, that you were a free-thinker in religion, would you say he was correct or incorrect about that?

A. He may have thought I was a free-thinker from things I said.

Q. Well, is that correct or not?

A. Well, I am pretty liberal in my views.

Q. Have you had any insanity in your family among your relatives?

A. There was one of my sisters died in a hospital.

Q. In an insane hospital?

A. Yes, sir.

Q. Had you an uncle, too?

A. Not that I know of. The cause of her insanity was typhoid fever. I can give you the whole history of it, and fetch witnesses to prove it.

Q. Have you any relative that has been at Dixmont twice within the last two or three years?

A. Well, I don't know whether you would call him a relative of mine or not. He is a far-out relative; him and my grandmother was related in some way; I think they were second cousins; I suppose that is Sutton you have reference to; that is the only one I know of.

Q. Doctor Harding certifies in this certificate that your uncle on your mother's side is insane.

A. My uncle on my mother's side?

Q. Yes, sir.

A. Never. There is none of her relatives I ever knew of being insane.

Q. He also certifies that all your family are subject to these headaches. Is that correct?

A. Well, that is correct.

Q. What is your business now, Mr. Carroll?

A. I have been dealing in kerosene oil, wholesale.

Q. Since your removal from Dixmont?

A. Oh, I staid on my place at Oil City until a year ago; then from that out I have been in the west.

Q. Did you ever propose to anybody, since your removal from Dixmont, to go on lecture stump about Dixmont?

A. Might be that I did; I think I did.

Q. Did you ever write to any of the attendants at Dixmont, proposing to pay them well if they would go on a lecturing tour with you on that subject?

A. I don't know whether I made a proposition to that effect or not, but I wrote to one of them.

Q. You did?

A. Yes, sir; to show up the cruelties of Dixmont, because I knew he knew all about it.

Q. What proposition did you make to the attendants about a share of the profits?

A. I don't know what proposition I made, or anything about it.

Q. How long were you out of Dixmont then?

A. I couldn't tell exactly.

Q. A month or two months?

A. I don't know.

Q. Who was that attendant you wrote to?

A. That was Brown.

Q. Did you ever write to Attendant Jamison?

A. Jamison?

Q. Yes, sir.

A. Well, now, that is the attendant in the sixth ward; that is, the name, if I haven't made any mistake, is Phillips. I wrote to Jamison.

Q. I think you are correct on that name—in the first name. Why did you abandon the idea of lecturing on Dixmont?

A. Why, I thought the matter over, and I took counsel; I thought I could get a State examination.

Q. Get a State examination?

A. Get this thing brought before the Legislature, and get what is going on now. That was the only object I had.

Q. Was your lecture course to be free or paid?

A. That was—we hadn't made any arrangements to that effect. Of course I—

Q. You had made no arrangements?

A. No, sir.

Q. Did you propose to pay Brown or the attendant?

A. I do not know what proposition, or what I did write to Brown exactly now. It is so long ago. Ain't paid any attention to it; that I can't exactly tell what proposition I did make.

Q. When did you move out west?

A. I moved out—it will be a year again April.

Q. Where?

A. What part of the west?

Q. Yes, sir; what part of the west.

A. I moved to Mercer county, Illinois; Aledo, the county seat of Mercer county.

Q. Were you examined, after your discharge from Dixmont, by two competent physicians—Doctors Lashelles and Green?

A. Yes, sir.

Q. Did they make the same report about your alleged personal injuries that they did here on Saturday?

A. They didn't pass an opinion in my presence at all.

Q. What were you examined by them for?

A. For the purpose of seeing what injuries I sustained.

Q. Did you tell them, and describe your injuries?

A. No, sir; I told them where I was hurt.

Q. Didn't you state to the *Oil City Derrick*, for publication there, in an interview with you, that your ribs were broken while at Dixmont?

A. I might have done so. It was my opinion they were, and it is my opinion yet, that they were broken.

Q. No difference what the examination of these physicians disclosed?

A. They were broken or knocked loose from the back-bone. I don't

know. I am no physician, you know, but they surely were one or the other.

Q. How about your spine?

A. My spine was badly injured. I couldn't—the circulation, as much as for two or three months, was bad like; just like your foot when it goes to sleep, a good deal of the time.

Q. How long were you home before you were able to work?

A. I have not been able to do a day's work yet. I have tried it twice in the first two years. I thought I would go to work at my trade here.

Q. How did it affect you?

A. Why, my spine and side hurt so that I was laid up for pretty near two weeks.

Q. Did it affect your appetite?

A. It affected my back more than anything else.

Q. Did it affect your appetite, your physical health, your bodily——

A. I don't know as it affected it a great deal.

Q. Weren't you pretty well reduced, physically, from loss of sleep and mental suffering before you went to Dixmont?

A. Yes, sir.

Q. When did you say you were discharged from there? I can't recollect the date.

A. I think it was the 10th day of November.

Q. 1879?

A. Yes, sir.

Q. Did you feel the effects of these injuries immediately on going from Dixmont?

A. I felt them all the time I was at Dixmont, and have felt them ever since, more or less.

Q. Do you remember writing to Mr. Brown, the attendant there, on November 29, 1879, a letter, thanking him for his kindness and attention, and returning acknowledgements of your indebtedness to him for the speedy recovery of your strength?

A. I might have wrote a letter of that kind.

Q. Is that a fact; did you feel that way to him at that time?

A. I did. I thought Mr. Brown had done me a great favor in there.

Q. Then you did recover your strength, did you?

A. Well, I recovered as speedily as could be expected under the circumstances after Mr. Brown had me with him at the table and the dining-room.

Q. Do you remember, in the same letter, of stating "I am now at home and feeling quite well," letter of November 24, 1879?

A. I don't recollect.

Q. Look at that letter, [letter shown witness,] and say if you wrote it.

A. I will tell you how it is now; I will go to work right here and write a letter, and let the committee examine it, and if it is all right, they can tell whether it is or not.

By Major Walker:

Q. Look at the letter and tell.

A. They might copy my handwriting.

By Mr. McKenna:

Q. To the best of your knowledge?

A. To the best of my knowledge that ain't my writing.

Q. Did you dictate to anybody to write for you—who did your writing?

A. I generally done my own writing.

Q. Mr. Carroll, who wrote your letters for you?

A. I done my own writing.

Q. Did anybody else write for you?

A. I never had a clerk about my case.

Q. I ain't asking you whether you had a clerk or not. Did anybody write to Mr. Brown or Jamison?

A. I don't think, unless my woman.

Q. Look at that and see if it is your wife's handwriting.

A. I don't think it is—it might be; I don't think it is.

Q. Did you authorize such a letter to be written?

A. I don't recollect.

Q. Didn't you say that is your feeling towards Brown?

A. Yes, sir; part of that I might write.

Q. Did you write that part, "That you are home now and feeling quite well?"

A. Not that I recollect of.

Q. Is that the fact?

A. Well, by times I felt pretty well; by times, some days, I felt pretty well; I might have felt pretty well that day, considering.

Q. Look at that now; that seems to be in your own handwriting; look at that [another letter shown witness] and see if that is in your handwriting.

A. It may be. I will give them a specimen of my handwriting, and let them examine it.

Q. Look at your signature.

A. Well, that looks like my signature; to tell the truth, it looks a good deal like it.

Q. That letter is to Mr. Jamison?

A. Yes, sir.

Q. Do you remember writing on January 4, 1880, "To friend Jamison, attendant" there, that you are now in very good health since you came home, and that you now weigh one hundred and seventy pounds, and that is twenty-five pounds heavier than when you first came home?

A. I don't recollect of writing that.

Q. That is your signature to that letter?

A. Well, I might have wrote it; I didn't say that is my signature; I said it looked like my signature.

Q. Just look at it and state whether it is or not.

A. I will tell you what I will do; I will write it and let them judge for themselves.

Q. Just say whether it is or it is not.

A. You might copy it, or any other man.

Q. What is your belief on the subject?

A. Well, I believe it is, from the look of it; it looks a good deal like it.

Q. Jamison is one of the men you say that treated you badly?

A. No, sir; I said that Jamison always treated me kindly.

Q. Do you remember of using this language in this letter: "Friend Jamison, I feel ever so much obliged to you, for the kind treatment you showed me in the sixth ward; if you ever come to the oil regions, I will make it pleasant for you?"

A. I, will, too; yes, sir; that would be my sentiments exactly there.

Q. I show you letter dated March 4, 1880; I wish you would look at that, and say whether that is your wife's writing or not, a member of your family, or whether you authorized that letter; that is to Mr. Brown—just look at that; that is the same writing as the first letter I showed you, to

Mr. Brown, look at the signature; what would you say about that being in your wife's handwriting?

A. Well, now; there is a good deal of that looks like—that there “J” [pointing] don't look like her make of J.

Q. How about the rest of it; does the rest of it look like her handwriting?

A. The “Carroll” does, the C.

Q. Give us your opinion on that—your best belief.

A. I don't know but that is her handwriting.

Q. Do you remember of saying in that, “I have four of the best lawyers in this part of the State for counsel in proceeding against Dixmont,” and also in regard to your lecture course; do you remember any declaration of that kind?

A. No, sir.

Q. Was that the fact?

A. It might have been that I wrote that, for I don't know—what date was it?

Q. That is March 14, 1880.

A. Let me see how long that would be after I got out. I have a pretty good idea I didn't take any counsel for sometime after I got out. I will—I know that I took counsel and it might be that I wrote that.

Q. Did you write in that letter to Mr. Brown that you wanted him to make out a statement of the abuses that he saw you receive at the hands of Harper, McConnell, and Lovell?

A. I believe I did.

Q. That they broke your ribs, and telling him what to put in that letter?

A. I don't recollect of doing that.

Q. Did you say in that, “I will tell you what I want your statements for—I intend to lecture on the cruelties of the institution?”

A. I don't recollect of that. I might have wrote it.

Q. “Brown, I want you to come and go with me. What will you take a month, and how soon can you come?” You say you have some recollection of writing that?

A. Yes, sir; I might have wrote that.

Q. You spoke about Harper using a key to whip men?

A. Yes, sir.

Q. What kind of a key was it?

A. It was more than one key.

Q. Were they keys they use down there at the hospital?

A. They was keys he carried in his pocket. There was two keys, door keys, I think, on a string, and then some like a padlock or trunk keys—something of that kind.

Q. Did you ever examine one of the keys that they have for the wards there at Dixmont?

A. I never did.

Q. Don't you know that one key will open the door in the wards there?

A. Yes, sir.

Q. That they have uniform locks there?

A. Yes, sir.

Q. And that a small key?

A. It wasn't a key of that kind.

Q. Not a key of that kind?

A. It was a common door key, just——

Q. What door did he use it on?

A. I never saw him use it on a door.

Q. What size keys? What does it weigh?

A. I don't know the weight of keys.

Q. Didn't you make a statement to the *Derrick* that it weighed two pounds?

A. I don't know. I said the bunch of keys might— I don't know what statement I made; but I never said he carried keys that weighed two pounds. I don't recollect of making a statement to the *Derrick* of the weight—of the amount what the keys would weigh.

Q. Mr. Carroll, you said in your examination-in-chief that you never told Dr. Wylie about these attendants or injuries to your side.

A. I don't recollect of telling him. I showed him my side. I don't recollect of telling him how it happened.

Q. How it originated?

A. No, sir.

Q. Why was that?

A. Why, the way he spoke about it it made me angry.

Q. What did he say?

A. Well, he wants to know, and I will just go to work and state it; he knows well enough what he said. Well, when he looked in my side, he examined it, he said it was the effects of malaria.

Q. The effects of malaria on what?

A. That was just the remark that he made.

Q. Did he make any sounding on your body for your broken rib at all?

A. Well, now, I don't think he did.

Q. You didn't call his attention to it. Did you?

A. I think he put his hand on it.

Q. The doctor wants me to ask you if you don't remember standing on the left side of the eighth ward door with your shirt up exposing your side?

A. No; I think that he was in my room. I think he come there—come in my room, and I showed him my side.

Q. What room had you at that time? Can you recollect it?

A. I couldn't begin to remember that.

Q. In what room, then, did Dr. Wylie examine you?

A. Why it was in the room where I was at Dixmont.

Q. What ward—what room?

A. It was in the sixth ward.

Q. Do you recollect of any examination in the eighth ward?

A. I don't recollect that.

Q. Don't you remember being examined once by Dr. Wylie in the eighth ward, at the door?

A. No; I don't.

Q. You never told Dr. Wylie, or sent word to Dr. Reed about the alleged abuse of your side and ribs, at all?

A. While I was at the institution?

Q. Yes, sir.

A. No, sir.

Q. Do you remember Doctor Wylie telling you that you had enlarged spleen, which was the result of malaria in your side?

A. No, sir; I have no recollection; all that I can recollect of was that he said it was the effects of malaria; that is the only thing I can recollect; if he said anything more, I don't recollect it.

Q. You said a while ago Doctor Wylie visited the wards almost daily?

A. Yes, sir.

Q. Hadn't you abundant chance to speak to him about this injury?

A. I had. I supposed Doctor Wylie and Doctor Reed knew everything that was going on.

Q. How could you suppose that when you said that none of the doctors were present at the time these attendants abused you?

A. I couldn't see how they could pass through the wards, and see the patients the shape they was, without investigating the matter.

Q. Did you complain to Brown about this?

A. About which?

Q. Your broken ribs.

A. When I was in the——

Q. Yes, sir.

A. I am pretty certain I did.

Q. You did?

A. Yes, sir.

Q. He was a friend of yours—this letter shows that—what did you tell him about it?

A. Why, he seen the sores; he helped—I don't know but what he dressed them once or twice.

Q. Was he standing by when this man abused you?

A. He stood in the cell door.

Q. He saw them dragging you around and abusing you?

A. Yes, sir.

Q. Was that more than once?

A. No, sir; all the abuse I got was just in the morning, in the evening, and what they gave me the next morning.

Q. Did you feel like returning him thanks for standing there and seeing this man abuse you?

A. I don't thank him for that part of it; but for the kindness that he showed me at the table.

Q. Did you not say, in those letters, that you thanked him for your part——

A. Yes, sir; he claimed that he couldn't do anything; that he was a dining-room attendant. He had nothing to do with the ward when I was there, and I have got a letter from him showing to that effect.

Q. Have you the letter with you?

A. Yes, sir; the first letter before that. I received a letter from him.

Q. Did your brother, the doctor, visit you more than once?

A. Where at?

Q. At Dixmont?

A. No, sir.

Q. He only visited you once?

A. Yes, sir; one day.

Q. How long had you been there then?

A. Six weeks. He took me out the same day he visited me.

Q. You know Mr. Caldwell very well, the superintendent?

A. Yes, sir.

Q. How did he treat you?

A. He treated me kindly, generally.

Q. Was he superintendent of the wards?

A. Yes, sir.

Q. Was he frequently backwards and forwards in your room or place?

A. Yes, sir; once every day, and some days twice.

Q. They called him supervisor?

A. Yes, sir. I think I know who you mean; he is a very tall man. Yes, sir; he treated me all right so far as he was concerned.

By Major Walker :

Q. I wish to ask you a question in reference to the matter which you have alluded to here, in order to put the record right. I want to ask you whether you ever took any steps, when you were at Oil City or any place, to have an investigation made of your troubles by the Legislature of Pennsylvania.

A. I did.

Q. Just tell it.

A. I went to Mr. Meyers, of Franklin—Samuel Meyers—and took statements and Brown's letters that I had.

Q. Was Meyers a member of the Legislature?

A. Yes, sir. And what letters I had from other parties and showed him, and wanted Meyers to get an investigation. So then I will tell you what he said——

Objected to.

The witness :

Then I went also to Titusville to Doctor Roberts. He was State Senator; and he said he would have this thing brought before the Legislature.

Q. Mr. Carroll, did either Mr. Meyers or Senator Roberts bring it before the Legislature?

A. No, sir; they didn't.

Q. Did you make an application to any other member of the present Legislature to have an investigation?

A. No, sir.

By Mr. McKenna :

Q. Your attempted investigation was in 1879, I believe?

A. Yes, sir.

By Senator Hart :

Q. I show you letter, dated November 21, 1879, addressed to Mr. John W. Carroll, from W. S. Brown. Did you receive that letter?

A. I did, from Mr. Brown.

Q. State whether the letters that you wrote or had written to W. S. Brown were in answer to this letter.

A. The one I wrote to Mr. Brown was in answer to this letter. He wrote first.

Q. I show you a letter, December 9, 1879, to Mr. John W. Carroll, from W. S. Brown. Is this, also, a letter that you received from W. S. Brown?

A. Yes, sir; that I received from Mr. Brown.

Q. I show you letter of January 5, 1880, to Mr. John W. Carroll, from W. S. Brown. Is that another letter which you received from Mr. Brown?

A. Yes, sir.

Q. It was in answer to these letters that your letters were written to Brown?

A. Yes, sir.

Dr. C. C. CARROLL, a witness appearing before the committee, who, being first duly sworn by the chairman, testified as follows :

By Major Walker :

Q. I wish you would state your name, if you please.

A. My name is C. C. Carroll.

Q. Where do you reside?

A. In Baltimore city.

Q. What is your profession?

A. I am a specialist in oral surgery ; I am, also, a physician.

Q. You are a regular physician, of course ?

A. I am a regular physician.

Q. Where did you graduate ?

A. I graduated at the College of Physicians and Surgeons, in New York—the medical department of Columbia College.

Q. How long ago ?

A. In March 4, 1869.

Q. How long have you resided in the city of Baltimore ?

A. Since last October.

Q. Where did you reside prior ?

A. In Meadville, Pennsylvania.

Q. The John W. Carroll—the witness that testified before you—is your brother, as I understand ?

A. Yes, sir.

Q. Where does he reside ?

A. He now resides in Aledo, Illinois.

Q. Where did he reside at the time you were at Meadville ?

A. In Oil City.

Q. How far is Oil City from Meadville ?

A. About thirty miles, I should think.

Q. Your brother lived at Oil City, and you resided at Meadville ?

A. Yes, sir.

Q. Were you familiar with your brother and his family in such a way as to know of his physical and mental condition for some time before he was taken to Dixmont ?

A. I was.

Q. How often did you see him ?

A. Well, every—at least—two or three months, or three or four months.

Q. Doctor, I wish you would, in your own way, and in as short and brief a manner as possible, state to the committee the troubles that brought about the taking of your brother to Dixmont : what produced this ; then, why he was taken there, and at whose instance he was taken.

A. His mental aberration was consequent upon continued headache, that he has been subject to (in fact, we are all subject to, inheriting it from our mother—a headache I am suffering from now), and loss of sleep consequent upon going back and forth to Baltimore, producing congestion of the brain, so that his physician, Doctor Harding, thought it advisable for his own safety to send him, during that temporary aberration, as he believed it would only be temporary, to Dixmont.

Counsel for respondent object to any opinion or expressions given by Doctor Harding as irrelevant and improper.

By Major Walker :

Q. Go ahead, and state what was done, and why it was done.

A. Doctor Harding and I were in council ; it was on our certificates that he went there. We sent him there upon our certificates, thinking that he would have, during his temporary aberration, better care than he could possibly probably have at home, inasmuch as he showed some disposition to violence, and a disposition to want to go away.

Q. Doctor, that was the reason why the consulting physicians thought proper he should be taken to Dixmont ?

A. That was the reason.

Q. Was he taken there ?

A. He was, sir.

Q. Was he taken there upon the certificate ?

A. Yes, sir.

Q. What physicians signed the certificate?

A. Doctor Harding and myself.

Q. After making an examination of his physieal and mental condition?

A. Yes, sir.

Q. Doctor, who took him there?

A. Doctor Harding accompanied him, as physician, and a gentleman by the name of Wilson—a friend of his—a friend of my brother's.

Q. They conveyed him to Dixmont?

A. Yes, sir.

Q. Had you any understanding with your brother that upon his arrival at Dixmont he should acquaint you of his condition after he had been there?

A. He didn't know from me that he was going to Dixmont; he left with another idea; we held out the idea that he was going to Cincinnati.

Q. Had you any understanding with the officials at Dixmont that they should inform you of his condition?

A. I had, through Doctor Harding; I requested Doctor Harding to ask Doctor Reed.

Objected to.

Q. Did you ever receive a letter from Doctor Reed?

A. I did, sir.

Q. In your own way, state what it was.

A. After my brother had been there two weeks and after requesting that he would notify us, at least, three days after he had been there of his condition. After waiting about ten or twelve days I wrote to Doctor Reed to know what his condition was—it had then transcended the time I thought he would be rational. I waited a few days—just the number of days I don't remember. I received an answer—a short letter in reference to him in which he stated—

By Mr. McKenna:

Q. Have you the letter?

A. I have not, sir.

Q. Have you preserved it?

A. I passed it into my brother's hands.

By J. W. Carroll:

The letter is in Illinois; I can bring it here.

By Major Walker:

Q. You received a letter from Doctor Reed?

A. Yes, sir.

Q. In reference to your brother?

A. Yes, sir.

Q. Did you ever receive a letter from your brother?

A. I did.

Q. Is that letter in existence?

A. I passed it in with the other letters and papers into his hands.

By J. W. Carroll:

Q. That letter I wrote?

By the witness:

A. Yes, sir.

By J. W. Carroll:

I think that letter was sent to my brother in Baltimore.

By the witness:

I received a letter—a very short letter—from my brother.

By Major Walker :

Q. Doctor, after receiving the letters, as you have stated, did you conceive it to be your duty to your brother to make a visit to Dixmont?

A. I did.

Q. Did you make the visit?

A. I did.

Q. Just go on and state, as briefly as possible, your visit there.

A. I received his letter from him, I think, on the 8th day of November, 1879, which, I think, was on Saturday. I took the train immediately for Dixmont, by way of Pittsburgh, from Meadville, going by way of Oil City. I arrived here too late to reach Dixmont that night—Saturday night. I staid over Sunday, and on Monday morning—it was the 10th day of November—I went to the asylum about ten o'clock in the day. I went intending to go incognito—not known to the members of the asylum or even to my brother—didn't know that I was going to be there—intended to go and see what the state of things was. When I approached the door and rang the bell, if my recollection serves me right, there was a side-light at the side of the door—a pane of glass at the side of the door, and when I rang the bell, a gentleman appeared; who it was I didn't know. I saw an expression on his face—an expression of recognition of me. I saw that at once and the thought came, "I am not now incog., I am recognized." I stepped in the door and the gentleman extended his hand and said, "This is Doctor Carroll."

Q. Who was that gentleman?

A. The gentleman was the gentleman sitting here.

Q. Dr. Wylie?

A. Dr. Wylie. He extended his hand and said, "Dr. Carroll." I said, "How do you know me?" He said, "Why, I know you by your brother." He asked me to step into the parlor on the left side of the hall. We sat down and began talking pleasantly. I didn't inquire for my brother. I didn't desire to show any suspicion; I desired to create no suspicion, and left it for him to mention him. I sat down and had a pleasant conversation for a moment; I waited on him to talk about my brother. He remarked, "I suppose you are coming up to inquire about your brother?" I remarked, "I was down in Pittsburgh, and thought I would see how he is getting along. How is he?" "Well," he said, "He is doing as well as could be expected. He is a very nice fellow, and gives us no trouble whatever. He is a very pleasant gentleman." I asked him, "How is his physical health?" He answered, "Well, he is, at times, quite lucid, I might say generally lucid, and at times not so." "How is his general health?" and he answered, "His general health was very good until just now he has a bowel trouble." After waiting a little further—that is about all the information he gave me—the conversation turned off on to something else. I then asked him if I could see Dr. Reed. He said Dr. Reed was very busy; didn't know whether I could see him or not, but he would see. He stepped out, and while he was gone a gentlemen came into the room in which I was sitting, with a lady patient from down the river, I think, from towards Wheeling, probably, if I remember right, a tall gentleman and slender. They came in and took a seat on a sofa, and began a conversation with me, and inquired if I had any friends in there, and made some inquiries about the institution. We sat there probably twenty minutes—it seemed quite a long time—and Dr. Reed came in, unaccompanied by Dr. Wylie. He entered the door—as if I am sitting where I am now, and looking towards the door; the gentleman and lady sat over on the sofa, on the corner—he came in and closed the door, then crossed to the other gentleman. I didn't rise.

I wanted to see the same recognition I had from Dr. Wylie. The gentleman raised, sitting with the lady patient. He stepped up to him, "I suppose this is Dr. Carroll?" "No," he says, "I am so and so, and have come with this patient." He wheeled right around then and I rose. "Oh," he says, "I mistake; this is Dr. Carroll. I suppose you have come to see something about your brother. Will you step into my office?" I stepped into his office across the hall, and then asked him about my brother. He said he was doing very well; he had not seen him for about a week, but he was doing as well as could be expected; the reports from the physician in charge were very favorable. Well, I asked him if he would have to remain long. He said he couldn't tell; he thought perhaps in five or six months he might be recovered so that he could go home. And I then asked him if I could see him—this was Dr. Reed. He said that was against the rules of the institution, to let friends visit them until they were recovered, or at least more recovered than my brother. He said, "You are a medical man, and," he said, "you know how these things are, that the presence of friends will always produce a relapse, make them worse than they otherwise would be." I told him I approved of that, and further, that I didn't want to interfere with the regulations of the institution, but I would be glad, having come some distance, to see him before I returned. He said he would be glad to accommodate me, but he could not depart from this rule. If they did in my instance, they would have to in others. I remarked, "Doctor, I believe my brother came here under my certificate as one of his physicians; hence, in that sense, he is a patient; I think I have claims over the ordinary claim to see him." "I had forgotten that; that is true; I suppose under that you would be entitled to see him." He then rang a bell and Dr. Wylie came, and he said, "Dr. Wylie, will you get Dr. Carroll's brother in readiness to see him, if you can, as soon as you can conveniently?" Dr. Wylie said, "I think he can see him at once; I saw him this morning in his room; he is all dressed; I think he can see him at once." "Very well," he said. I remarked, "Will you go and please notify my brother that a friend has called?" I didn't know what his condition might be; from his statement I thought they were acting very prudently. "Will you please go and notify him that a friend has come, so that there will be no surprise to him when I come?" Dr. Wylie remarked that he didn't think that would be necessary, "but, since you ask it, I will do so." So he went away, and returned in a few minutes and stated he had notified my brother that a friend had come. He asked me to go with him and he would show me through the institution. I walked with him through the institution, and he called my attention to the dining-room and other favorable features of the institution, and groups of patients, and telling me who they were, and finally, in the course of probably twenty minutes, we reached the door of my brother's room. He rapped on the door, and a voice from within said, "Come in." He stepped in, Dr. Wylie did—

Q. Was the door locked?

A. I think not; no, sir; I think the door was not locked. I am confident it wasn't. He stepped in and said, "Mr. Carroll, here is a friend that has called to see you." I stood back a moment and glanced through. I could see my brother through the crack of the door when it was opened. He turned around, and then I stepped in, and my brother shook hands with me, recognized me, and remarked, "When did you come?" I said, "This morning." "When did you see my folks?" "I saw them on Saturday." "Are they all well?" I said, "They are." "Why don't they write to me?" "I don't know, John; I guess they have written to you."

He turned around, and then he asked—he turned and said, “Doctor Wiley, will you be kind enough to leave me with my brother a little while? I have some business with him.” Doctor Wylie hesitated, and stood and looked a moment, as though he oughtn’t to do it. I remarked, “Please leave the patient in my hands. I will take care of him for a little while, Doctor Wiley.” “For how long a time?” I said, “About fifteen or twenty minutes.” My brother remarked, “You need not return for a half an hour.” Doctor Wiley stepped to the door. He didn’t close the door, and my brother stepped nearly to the door, and came back closing the door, I think, and locked the door, and remarked to me, “Doctor Wiley is just standing outside of the door; our conversation will have to be low. Step to this window, overlooking the river,” said he, “I want to show you something.” Said he, “Have you got any letters from me?” I said, “I have got one.” He said, “I have written you many letters, and I wondered why you didn’t come to take me out. Have you come to take me out?” Said I, “I don’t know, John; how are you?” “Why,” said he, “I am as well as I ever was, mentally; physically, I am not. I want to show you my condition.” “Why,” said I, “In what respect?” “Why,” said he, “I have received awful treatment since I came here,” says he, then he began to show me. “Why,” he said, “my ribs are broken.” Said I, “Let me see.” He unbuttoned his clothes, and I examined, and on the left side I put my hand on it, and found a little tumor. I saw that he couldn’t straighten up; that he was bent over and couldn’t straighten. I put him on the stretch to straighten him. I examined him, finding the tumor just under the point of the tenth rib. I said to him—in pressing him, said he, “That is very sore, very sore.” Then he showed me another wound over the ilium on the right side. Said I, “What did that?” “That is a kick of a boot.” Said I, “What did this?” Said he, “That is a kick of a boot also. Then, said he, “I want you to see my testicles.” Said I, “For God’s sake, don’t show me anything more. You come out of here. Don’t show me anything more.” I was so indignant, so outraged in my feelings. Said I, “Don’t show me any more. You will come out of here.” Said he, “When?” I said, “I can’t tell you; just be patient until you are out. I won’t go home until I make the attempt. Don’t disclose what you have showed to me, to Doctor Wylie, or anybody else; be patient.” He replied, “I will be cheerful if I know I can get out.” I said, “You shall come out.” Then I said, “Your folks are well; your son has taken charge of things, and they are well. We have to be patient.” With that a rap came at the door, and Doctor Wylie came to the door, and said, “Doctor, I have got to go below; the time of twenty minutes is about up; duties require me to go below, if you will be kind enough to go down with me.” I turned and shook hands with my brother, and said, “I am going up to Pittsburgh, and probably in a few days will return and see you.” He said, “All right, I will be glad to see you.” This was confidential, and understood between us. I went out of the institution, and said nothing to Doctor Wylie until we got part way down stairs. Said I, “Doctor, why my brother seems quite lucid, and seems to be rational.” Said he, “Yes, he does, indeed; this is one of his best mornings.” We got down into the parlor. Says I, “Doctor, don’t you think my brother is in good enough condition to go home and be with his family? Wouldn’t he be better at home, and make a more rapid recovery? Hadn’t he better go home? He is complaining of his bowels. Where he can receive better attention?” Said he, “I have nothing to say about that. See Doctor Reed about that. My opinion is against that. That he had better stay

longer till he makes a complete mental recovery." Said I, "I would like to see Doctor Reed."

I went into Doctor Reed's office, and Doctor Reed asked me, "How did you find your brother?" "Doctor," said I, "I think he can leave the institution! He seems to be all right, seems to be nothing wrong about him." He said, "I have a very favorable report." Said I, "Don't you think that his bodily and mental condition would warrant him to come with me—that he would be better in the associations of his family?" He replied, "Not at all, Doctor, not at all; I could not encourage that at all." I remonstrated a little; said I, "He has got a little family dependent on him, and if he could have the same kind of administration and treatment that he gets here, it would be better for him," and he said, "Not at all; if he would go out from here now partially recovered it would be injurious, do not think of that now, he would not be out any time until he is back. I could not consent to it now. He is in here for three months, and his money is paid—he is a paid patient, let him go home when his time is up or he is permanently cured, if not at the end of three months, then at the end of six months." I said to him, "For the time being I defer to your judgment. I am going to Pittsburgh. In the meantime I will return and see my brother before I go home." I took the train and went up to Pittsburgh; I saw an evident disposition not to surrender the patient. I thought I would get the patient out, and take legal counsel at the time I came to Pittsburgh.

Objected to.

By the witness:

I came up to Pittsburgh, and thought the matter over, feeling that he was my patient, put there, that he belonged to me, and I had a right to take him away, and had a right to take him away without consulting anybody. I came to that conclusion, and I returned at five o'clock—on the five o'clock train—got down there about half past five o'clock in the evening of the same day, the 14th day of November. Just as I went to ring the bell of the asylum I met Doctor Reed coming out on to the steps; he recognized me. "Why, Doctor; is this you? I thought you went to Pittsburgh." I replied, "I did." "What is the matter that you are back again?" Says I, "Doctor, I want to see you in your office." He walked into the office; "What is the matter?" says he; says I, "I have been thinking of this case of my brother's, and I have come back to have a fresh talk about it; I am impressed that it is my duty, from what I see of my brother, of his mental and physical condition as it is, that it is my duty to take him home." Said he, "I cannot consent to it at all; it is a violation of our rules; you have to make application to the board of trustees." I remarked, "Doctor, he is a patient of mine, he is not a State patient—he was placed here by Doctor Harding and myself, on our certificate, and I think that I am entitled to take him; I am fully convinced that it is my duty to do so, and I want the patient." Said he, "You don't mean that?" I said, "I do." I pulled out my watch; said I, "My train goes at six-fifteen, I think; it lacks twenty-five minutes of that time; I give you twenty minutes to produce that patient here with his clothing and his satchel." Said he, "Do you mean that?" Said I, "I do." "Now," said he, "I assure you now, if that patient is taken away by you, he never will come back into this institution again." I said to him, "Doctor, give yourself no uneasiness on that account; there is one minute gone by, you have one minute less." He rang the bell, and there appeared Doctor Wylie again. Said he, "Doctor Wylie, will you get Doctor Carroll's brother ready with his clothing, as soon as you can conveniently, ready to be taken out?" Said I, "Doctor Wylie, my train goes so and so—will you please come within that time?"

I wanted five minutes to reach the train. In about fifteen or eighteen minutes—for I watched the time closely, and knew when the train went—in about fifteen or eighteen minutes Doctor Wylie came, followed by my brother who was carrying a satchel in his hand, and my brother spoke; said he, "I am ready." He was the one that made the remark; I shook hands with the two gentlemen, and I thanked Doctor Wylie for his courtesy in the matter, and bade them good-night, and I took my brother's satchel in my hand, and took him to the train. I started to go down to the train, and I found he couldn't walk fast. I had only six minutes to make the train, and I said to him, "I will take your satchel and go down, and hold the train," for I heard it coming way down below. "You take your time; can you find your way down?" He said, "Yes." Said I, "I will run and hold the train." And I run down those long steps, and the train just arrived, and I held the train about one-and-a-half minutes, when my brother came up, and I took my brother to Pittsburgh.

Q. Doctor, you have got your brother to Pittsburgh; were you on your road home?

A. I was on my road home.

Q. What time did you go to Pittsburgh?

A. I went on the half past six or seven train.

Q. Do you remember what time the train left for Oil City?

A. I don't remember; about half past seven or eight o'clock; we took a sleeper.

Q. Just state in your own way, as shortly as possible, whether you made an additional examination of your brother on the train going up that night.

A. I did, sir.

Q. Just state what it was.

A. When we got up on the train—we got some supper before we left—we got aboard the train, he was complaining greatly of his condition. I asked him to let me examine him, and he did.

Q. Just state the way.

A. I stripped him at the points he complained, and I found scars upon him. I found the evidence of what he claimed to be the kick of a boot—the toe of a boot—and around just at the union of the cartilage with the tenth rib, just under that point, [pointing,] a little tumor, that seemed to be soft and very sore, that he would flinch when I would press it. I also saw a wound over the ilium; I wouldn't be positive whether it is the right or left ilium. The ilium is the point of one of the ———; it is just over this point, [pointing.] The ilium is in one section of one of the pelvic bones; it is the upper point of the pelvic bone, and it was just over that point there was a scar about the same length as that on the rib on the left side; I think it was the right ilium.

Q. Could you form any opinion, Doctor, by looking at it, as to what would have produced a scar of that kind—a sharp instrument?

A. No, sir; it wasn't done with a sharp instrument. Done with a blow like a kick—it could very well be produced by the toe of a boot. He then called my attention to a point around over the scapula, I think the right scapula. I examined that, and I found a scar there, too; the scar it looked as if it might have been torn around, from the appearance of it; but the cicatrix of the scar about the same length, as though it had been done by the same instrument as the other, that of a boot. He then called my attention to his leg; he showed me some scars on his leg—he had showed me while in the asylum the fact that his whiskers had been pulled out—that was the first thing he showed me in the asylum. He said, "Just look here," and I found the impression of a man's hand, that is, there was what would

indicate three fingers on one side and his thumb on the other, the sears indicated that. I said, "How was that done?" He said, "That is done choking me—they choked me nearly to death."

Counsel for respondent objects to the witness stating any declarations which his brother may have made during the examination.

The witness:

I found the evidence on his throat, as I have stated; the evidence of a man's hand. It looked as though it might have been done with a man's hand; the evidence of the fingers on one side and the thumb on the other, and very plain and distinctly. The sears were there after six weeks' time. There were other bruises upon him; but those were the most prominent ones.

Q. Did you make an examination of his privates?

A. I did; on the sleeper. I found them still swollen, and not in a normal state; but still swollen.

Q. Where did you take your brother to?

A. I took him home to his family. We arrived in Oil City on Tuesday morning, and left him with his family. Breakfasted with him at his own home, and then took the train to Meadville, and requested him to come in a short time, which he did.

Q. Do you know what has been the physical and mental condition of your brother since?

A. Mentally he has been perfectly sound, as sound as any man can be in the physical condition he was.

Q. His physical health?

A. His physical health is very poor. He was a very stout and robust man before that time. Physically, he has not been able to do a full day's work since.

Q. State whether you attribute his physical infirmities to the treatment he received at Dixmont.

A. I do.

Q. Doctor, after you arrived at Oil City, did you make a further examination? If so, in whose presence was the examination made? Was there an examination made of your brother after the arrival at Oil City?

A. Not by me at Oil City.

Q. You were not present?

A. No, sir; not by me.

Q. Do you know who made the examination?

A. At Oil City?

Q. Yes, sir.

A. Yes, sir; Dr. Harding. I saw Dr. Harding before I left Oil City, and asked him to make an examination; he did so, and wrote the record of it; there was afterwards an examination made at Meadville.

Q. Were you present?

A. Yes, sir.

Q. Doctor, state whether there was a further examination, after this examination you allude to, at Oil City, of your brother.

A. There was, the 16th day of November.

Q. Whereabouts was it?

A. It was at my residence in Meadville.

Q. Meadville, Pennsylvania?

A. Yes, sir.

Q. Where you present?

A. I was.

Q. Who else was present?

A. Drs. Lashelle and Green.

Q. Those two gentlemen who testified the other day?

A. Yes, sir.

Q. There was an examination made by you three physicians?

A. Yes, sir.

Q. Just state the character of the examination, what the diagnosis was, what discoveries you made.

A. Well, there was quite a careful examination made of him. He took and showed the scars on the throat, as I have described, and showed also the fact that his whiskers had been pulled out, and also showed the scar on the left side where the kick of the boot had been, that had fractured the cartilage of the false ribs on the left side. That I diagnosed to be the case when I first examined him on the ear, and subsequently, with these two gentlemen, diagnosed the same thing to be true. There was also found, at that examination, a wound over the ilium, of which I have spoken, with a little tumor lying under, which wounds and tumors, I think, are probably present to-day, and can be shown to any medical man.

Q. In regard to this tumor, state what it is that produces a tumor.

A. A tumor is any abnormal enlargement——

Q. In other words, I wish to ask you, in your professional opinion, do you believe that that tumor came from a blow or injury?

A. I have no doubt of it.

Q. Go on; you were describing about his whiskers being pulled out.

A. We found the scars I have described, and whether at that time our attention was called to the scar on the shoulder, I don't remember. I am of the impression that it was.

Q. Was your brother disrobed when this examination took place?

A. In a measure; he took down his pants to show the parts.

Q. Did you make an examination at this time of his privates?

A. I think not, then.

Q. Did you make an examination of his leg?

A. I think not, as we regarded that of minor importance, as the others were in points might produce mortal results. That leg I did not regard of great importance. In fact, I anticipated and feared, as proved to be the result, that he would be always a crippled man.

Q. Did you make, at any time subsequent to this examination at Meadville, any further examination of your brother?

A. No, sir; not from that time to this, until now, recently, when I came here.

By Mr. Graham:

Q. Have you made an examination of him since you came to Pittsburgh?

A. I have, sir.

Q. How did you find those marks or scars in comparison with what they were when you examined him at Oil City?

A. I found the tumors, perhaps, is not changed much in size from what they were then. I find the soreness, as existing, clearly evident on the left side of the tumor. The scars on the throat are largely obliterated; they are just faintly perceptible. The scar on the shoulder is very marked; could be seen across this room almost now. There was another very important wound in the small of the back, that looked as though it might have been done with a kick.

Cross-examination:

By Mr. McKenna:

Q. How long have you lived in Oil City?

A. I never lived in Oil City.

Q. Where did you practice medicine before you went to Baltimore?

A. In Meadville.

Q. Were you a general practitioner?

A. No; I said in the beginning I was a specialist.

Q. What do you mean by that?

A. An oculist is a specialist in medicine.

Q. Is it what is vulgarly called "an eye-doctor?"

A. I apprehend so; and an oralist—an oral surgeon—is a man who treats the mouth and all tumors which appertain thereto; it is a distinct specialty. I am also a dentist, as well as an oral surgeon, and as well as a graduate of medicine and surgery.

Q. What institution?

A. The College of Physicians and Surgeons, New York—the medical department of Columbia College.

Q. What year?

A. 1869.

Q. Did you graduate in this specialty, or generally?

A. No, sir; I am in general practice. I took special courses afterwards under special professors.

Q. Since 1869 you devoted your attention to diseases of the eye?

A. Not at all, sir; I said an oral surgeon; I am an oral surgeon, dentist.

Q. In Meadville did you have a dentist office?

A. Yes, sir.

Q. And practiced dentistry?

A. Yes, sir.

Q. Did you practice medicine, too?

A. At Meadville?

Q. Yes, sir.

A. Yes, sir.

Q. Both combined?

A. Yes, sir; always practiced both. I had some practice in medicine exclusively at first.

Q. For how long?

A. Well, a short time—a few years.

Q. Latterly, your attention was given to dentistry?

A. Yes, sir.

Q. How are you in Baltimore, now?

A. I am practising dentistry and oral surgery; I have just performed an operation, to which I had to go back last night, on a gentleman, being his surgeon.

Q. You have never had a special practice in the treatment of insanity?

A. No, sir.

Q. You say you took part in the examination with Doctor Harding of your brother. What was your brother's delusion?

A. At the time he was taken insane, it was that he was going to be the promulgator of doctrines which he had just heard proclaimed at a lecture he had heard by Ingersol.

Q. Was it in answer to Ingersol?

A. No, sir; it was confirmatory.

Q. Doctor, was he very violent in his manifestations of that delusion?

A. No, sir; not very violent.

Q. Can you tell me, then, Doctor, why you took part and advised a strait-jacket to be put on him?

A. The object of that was this: He had shown a disposition to want to

run away, and he had acknowledged submission to me in everything, and was willing to do everything I would say to him. As to Doctor Harding, he was not willing to do that; and, as the Doctor was going to accompany him, the Doctor thought he might jump off the train, or something of that kind. He thought he had better fix his hands, so he could control him.

Q. Did you advise the strait-jacket?

A. Yes, sir.

Q. Were you there when it was put on?

A. Yes, sir.

Q. Why was not a shirt put on?

A. What you call a strait-jacket was a shirt; it was made out of new Canton flannel, with the soft side to him.

Q. Did you get the material?

A. No, sir.

Q. Was it not made of coarse ticking?

A. No, sir.

Q. Did you see it?

A. Yes, sir.

Q. Handle it?

A. I did.

Q. Was that the strait-jacket he was brought to Pittsburgh with?

A. I suppose so; but I don't know.

Q. Is it customary to put on a strait-jacket to keep people from running away?

A. I don't know, sir.

Q. Was it not done to prevent him from doing injury to himself?

A. I said just now, to prevent him from getting away; if his hands were that way, he couldn't run or hurt himself.

Q. It wasn't on his feet?

A. No, sir; it was on his body.

Q. It prevented no movement of his feet?

A. No, sir.

Q. Did he show any disposition to do any personal injury to himself?

A. No, sir.

Q. Or to do personal violence?

A. No, sir.

Q. Were you with him when he was taken to the cars?

A. Yes, sir.

Q. Did you ride in the wagon?

A. No, sir; I rode behind.

Q. How many persons were in the wagon?

A. Well, Mr. Wilson and another neighbor, and the boy that drove; I think there were three.

Q. Did you see him have any of these paroxysms that he has described, on his way to the train?

A. He had no paroxysm in the sense that we denominate paroxysm.

Q. What do you mean by paroxysm?

A. A convulsion is usually called a paroxysm.

Q. What do you mean by it?

A. I didn't apply the term paroxysm to him.

Q. What term would you apply?

A. Why, he would be sometimes excited, and more sometimes than he would at others.

Q. Didn't you say that he had a paroxysm?

A. I don't know that I did. I might have repeated after you, sir.

Q. How did he manifest his undue excitement ?

A. Simply by wanting to talk.

Q. Did he talk loud ?

A. Yes, sir ; he talked loud.

Q. Suppose when—these Ingersol discussions—some spectator would differ with him, how would he conduct himself towards the man who took the other side ?

A. He would be sometimes vehement in his discussion.

Q. Very vehement ?

A. I wouldn't say very vehement.

Q. Would he show it—show any muscular display ?

A. No ; I never saw that.

Q. Just state.

A. Why, he would enter right into an argument, that is all.

Q. Did he ever have any spells before this ?

A. No, sir.

Q. Never ?

A. No, sir, and I have known him from a child.

Q. What do you think that produced it ?

A. I have already stated.

Q. A headache and cold ?

A. Yes, sir ; he had a bad headache and cold and insomnia.

Q. What produced it—insomnia.

A. Why, the headache.

Q. What produced the headache ?

A. I have already stated it was a congenital headache.

Q. You mean hereditary ?

A. Yes, sir.

Q. Has he it all the time ?

A. No, sir ; it occurs with him as with other persons all over the country that have headaches.

Q. Don't you know that there is always some exciting cause that produces it ?

A. I am very well aware of that ; here, tobacco in this room, with which you gentlemen enjoy yourselves, causes me to enjoy a headache.

Q. What excited your brother ?

A. I have already stated ; he had a hard cold and with the cold came a headache.

Q. What do you mean ?

A. Why, he had a severe cold, and in the congestive period of the cold which is the severe stage—the inception of the cold—the headache—cold—caused by a flux of blood to the head.

Q. How long did it last ?

A. I don't know. It was Thursday prior to Sunday that I was called to see him ; he was then at my house ; he stopped at my house on his way home to Oil City from Chautauqua.

Q. You think it was produced from a very hard cold ?

A. Yes, sir ; it was from the return of the flux of blood to the brain, not returning in the venal circulation.

Q. He was forty-two years of age. Did you ever know him to have a headache and cold before ?

A. I have known him to have a headache a great many times.

Q. How would you account for him having a headache and cold and not becoming insane at a prior period ?

A. Well, not so long protracted ; he has had many headaches since that without any aberration of mind.

Q. Ain't the tenth rib all cartilage and no bone ?

A. No, sir.

Q. You say it is not ?

A. It is not ; the eleventh and twelfth ribs are the false ribs ; they terminate without any connection to the breast-bone, in a point, having a cartilaginous termination, but the tenth rib is not cartilage ; all the ribs have cartilages connecting that—

Q. You have already stated that the tenth rib is not all cartilage ?

A. I have, sir.

Q. Is that according to recognized medical authorities ?

A. I think it is.

Q. Are you sure of it ?

A. I think it is ; I have not studied the minutiae of anatomy of that part—it has not been my specialty.

Q. Did you witness any of your brother's violent spells before he was sent to Dixmont ?

A. Yes, sir.

Q. How many ?

A. I was with him all the time from Sunday, at four o'clock, until he went to Dixmont.

Q. How long was that ?

A. From Sunday until Monday about eight o'clock.

Q. That comprises your observation ?

A. Yes, sir.

Q. In all, about twenty-four hours ?

A. That would be twenty-eight hours.

Q. You don't know whether your brother, from having his strait-jacket on without a shirt, whether from his violence to himself in his muscular actions, he injured himself in any way ?

A. No, sir.

Q. Weren't there plasters applied to his person ?

A. There had been one plaster applied by Doctor Harding on Friday.

Q. Was this strait-jacket put over that plaster ?

A. Yes, sir ; it was over that plaster—had a covering on. I dressed it myself just before it was put on.

Q. The strait-jacket was put over it ?

A. The strait-jacket covered that plaster. I took very great care to place something soft over the plaster, and there was a cloth—an oil-cloth—which I put over the plaster. I put it on, so when this jacket was on, adjusted it rather, so that there would be no inconvenience from it.

By Mr. McKenna :

Q. How was that jacket fastened ?

A. It was just an ordinary shirt.

Q. Was it anyways tight ?

A. No, it was not at all.

By Major Walker :

Q. It was not a strait-jacket at all ?

A. No, sir ; it was made just like an ordinary shirt, only the arms extended out long enough so that it could be tied behind his back.

By Mr. McKenna :

Q. While you called it a shirt, it was made like a strait-jacket ?

A. I never saw a strait-jacket.

Q. Who prescribed that ?

A. Why, I think Doctor Harding and myself consulted. We thought that was the best thing under the circumstances.

Q. What do you mean by "under the circumstances?"

A. That it would enable Mr. Harding to go with him, and if he had a disposition to run away from him, that he would be able to control him, and that he could do no injury to anybody.

Q. All the knowledge of his injuries which he received, that you know of, is from his own statement the causes of it?

A. And the examination of his person.

Q. I mean, that they were produced at Dixmont? You have only his statement.

A. I know that he went to Dixmont sound. I have Doctor Harding's word——

Q. I am asking you if your own knowledge of his injuries ain't derived from himself?

A. No, sir; it is derived from——

Q. Did you see him get any of these injuries?

A. No, sir.

Q. Then the injuries were marks which you found upon his body?

A. When I examined——

Q. Did you see these marks six weeks after they were alleged to have occurred?

A. Yes, sir; very plainly.

By Major Walker:

Q. You don't mean to say it was six weeks after they occurred?

A. No, sir; six weeks after he entered the institution. There was no such marks on him when he went there.

Q. You know that he alleges it was done within three or four days?

A. Yes, sir.

By Mr. McKenna:

Q. Where is Doctor Harding now?

A. I don't know; I understand he was west—in Colorado some place.

Q. Do you know when he left?

A. I don't know; I saw him, probably, within a year and a half.

Q. Doctor, you made no complaint to Dr. Reed or Dr. Wylie, at the time of taking this man out of Dixmont, of any violence?

A. I did not.

Q. You didn't?

A. I didn't, for very prudential reasons.

Q. You just withdrew him that evening, as you have described, and took him home?

A. I did, sir, under very great protest on their part.

Q. Do you know whether Dr. Harding examined him after he arrived at the hospital?

A. Yes, sir; he did, sir.

Q. After he landed at Dixmont?

A. He told me he had, and he told me particularly about his plaster. I asked him particularly, when I saw him, if he had examined it, and it was all right; he told me that.

On motion of Major Walker, adjourned to meet at nine o'clock on Tuesday morning, February 27, A. D. 1883.

And now, to wit: Tuesday, February 27, A. D. 1883, at nine o'clock, A. M. Committee met pursuant to last adjournment.

Present—Chairman McCrum, Senators McNeill and Hart, Representatives Walker and Graham, C. F. McKenna, Esq., of counsel for respondents, and witnesses, and the hearing of testimony proceeds.

Dr. T. B. LASHLELLS, a witness who appeared before the committee, and being first duly sworn, testified as follows:

By Chairman McCrum:

Q. Where do you reside?

A. In Meadville.

Q. You are a practising physician?

A. I am.

Q. Do you know or did you know J. R. Carroll?

A. Well, I am not certain as to his initials. I knew a brother of Dr. Carroll. I would not recollect his initials, anyhow.

Q. You say you knew Mr. Carroll?

A. I never saw him to know him until I was called to examine him.

Q. You was called to make an examination?

A. Yes, sir.

Q. By his brother?

A. By his brother.

Q. After his return from Dixmont?

A. That I suppose from the statement made by himself and his brother.

Q. Was there any other physician present when you made the examination?

A. Dr. Green, of Meadville.

Q. Please state to the committee what you found and what you learned.

A. Well, upon examining him he presented some evidence of violence; that is, there was some hair pulled off; he wore a heavy beard and there was some evidence of it having been pulled out, some bare spots on the skin and some discolorations on the neck, some extravasations of blood; that is, colored spots about the neck that he claimed were made by the attendant that choked him, and about his body there were some discolored spots on one side, my recollection is about the back, and a little more to one side, I think to the left side, on his left side than the other.

Q. Did you make any notes of this case?

A. Yes, sir; I think I did; that is my recollection now, but so long a time has elapsed, it is three years or more since this examination was made, and it is well-nigh gone out of my mind. I am simply giving my general recollection of those spots, and the hair being pulled, or want of hair about his face, as though removed lately, a short time before, just as my memory serves me now; I hadn't thought of it for a long time until I got your letter the other day.

Q. What was his condition mentally?

A. Why, mentally I didn't see anything specially wrong.

By Senator Hart:

Q. Had he a long beard?

A. A full beard; not a long one.

Q. Whereabouts?

A. It was in here. [Pointing.]

Q. Under the chin?

A. Yes, sir; that the hair appeared to be removed within a short time.

Q. Where were the marks?

A. Some discoloration about his neck and one or two spots on his side.

Q. On which side?

A. I think the left side.

Q. Did you make any further examination except the side and the back?

A. That is all, sir; that is all that was shown us.

Q. Do you remember when this was?

A. No, sir; I cannot tell you from my own knowledge of the matter now; I had a talk with his brother and he has somewhat refreshed my memory, and it appears now, as my impression, that it was about three years ago or three and a half, perhaps fully as long.

Q. Was it about November, 1879?

A. I think so.

Q. Was he in company with his brother, Dr. Carroll, at the time of the examination?

A. At the time his brother was in the room.

Q. At his examination?

A. It was at his house; it was on Sunday, and I recollect it very—

By Major Walker:

Q. Are you a graduate of a medical college?

A. I am, sir.

Q. What one?

A. Columbia College, Washington city.

Cross-examination:

By Mr. McKenna:

Q. Can you recollect, Doctor, what hallucination this man possessed?

A. Only from hearsay; it was some mania; I recollect at the time that he had listened to some lecture of Ingersol's.

Q. Do you know of his being arrested for street preaching?

A. No, sir.

Q. Do you know how he was conveyed to the hospital?

A. Indeed, I do not.

Q. Do you know whether he was in the strait-jacket?

A. No, sir.

Q. This hallucination—I am informed it was in reference to the devil; it might not be called this; was that pertained to the devil in his throat?

A. I cannot tell; you see I never saw the man before.

Q. Could you tell from the way that hair was pulled out whether it was the result of violent treatment or sane actions?

A. No, sir.

Q. You don't know how long before, from the appearances, this hair-pulling was from under his chin?

A. No; but from the general appearance of it—rather the irritated appearance of it, and the soreness and the tenderness—it was, apparently, tender; it might have been several weeks before.

Q. How long had he been in Dixmont?

A. I don't know.

Q. You saw him after his return?

A. The only way I can fix that—I knew it was a short time, because I heard of his case, and then I saw him afterwards at this examination I was taken to make.

Q. You are not one of the physicians that were on his certificate?

A. No, sir.

Q. It was afterwards you saw him?

A. Yes, sir.

Q. How did you come to examine him after he came out?

- A. At the request of his brother.
- Q. What is he? Is he a doctor?
- A. He is a doctor—yes, sir; he is Doctor C. C. Carroll.
- Q. Where did you examine him?—in Meadville?
- A. Well—yes, sir; just beyond the city limits, within a half or a quarter of a mile—at the Doctor's residence.
- Q. Do you know how long he had been out of Dixmont?
- A. I do not know, of my own personal knowledge.
- Q. How long was he reported to be out?
- A. Only a short time; perhaps a week or ten days; I know it was only a short time.
- Q. What complaints did he make?
- A. Why, he complained that he had been kicked and abused.
- Q. Any bones broken, or ribs?
- A. I cannot be certain as to that.
- Q. He made no complaints as to that?
- A. I am not certain about that; I think he did.
- Q. You can state if you found any broken limbs or ribs?
- A. No, sir; I didn't.
- Q. Would you think that discoloration to have been made from the bruises?
- A. After that long time, it would take a pretty serious bruise—after that length of time that they appeared to have elapsed.
- Q. You have no knowledge of that?
- A. No, sir.
- Q. From the examination you made at that time, if he had received such serious injuries as to break the ribs or bones, would not you have discovered it?
- A. Most likely; still I can hardly conceive a bone that would not have been deducted at that time. It might be that some ligament was ruptured, or something of that kind; it might not be determined.
- Q. But the fracture of a bone?
- A. The fracture of a bone might have been determined at that time.
- Q. What signs would there have been?
- A. Well, there would not have been, at that time, time enough elapsed for a callus to have been thrown out.
- Q. But it would have been perfectly visible?
- A. It could have been felt, perhaps.
- Q. Did you notice any discoloration in the back of his neck?
- A. I don't recollect that.
- Q. About his neck at all?
- A. There seemed to be about here, [pointing,] here on the side of his neck.
- Q. You observed no injuries on the back part of his head and neck at all?
- A. No, sir; I cannot recollect of any.
- Q. Or discolorations in his back?
- A. Well, those bruises; there were several of them that he called my attention to; those I recollect best was on his side—on his left side around towards his back, towards the spine.
- Q. How long did your examination last, Doctor?
- A. Oh, not very long, sir; a few minutes, ten or fifteen minutes.
- Q. Who assisted in it?
- A. Doctor Green.
- Q. Also of Meadville?

A. Yes, sir.

Q. He is here?

A. Yes, sir.

Q. Could you tell now, Doctor, whether the injuries of the man's throat and neck were produced by having the hair pulled out, and whiskers, or by direct violence, resulting from contusions or bruises?

Q. Well, it seemed like a bruise of violence, or some effort that would result in extravasation of blood. His neck in the discolored condition it was, it would require force to do that most likely. Those bruises and marks on his neck were not where the hair seemed to be removed, but on the side of it.

By Senator Hart:

Q. Might not the ligament have been ruptured, and at the end of several weeks from the time not been visible?

A. Yes, sir.

By Senator Walker:

Q. Doctor, did Mr. Carroll say to you, or his brother say to you, that he had been maltreated in such a way that any of his bones were broken?

A. I cannot recollect that; I do not recollect that he did; I cannot recollect that he directed my attention to a rupture of a bone at all, sir. He claimed being abused; that seemed to be the complaint.

By Senator Hart:

Q. My question had reference to the ligament attached to the false ribs.

A. Well, the ligament connecting the rib—

Q. Might not the ligament, the fusiform cartilage, have been ruptured, and at the end of that time appeared to be all right, and not have been visible?

A. I do not know that any injury resulting in a detachment there at all, any serious injury at that point could have been made, and, as claimed, six or seven weeks have elapsed, not have been noticed. It is hardly possible, I am not sure that my attention was called to that, but that it was called to an injury which Mr. Carroll said himself was caused by the kick of a boot. This does not occur to me—at least it is not in my mind now that there was a fracture of a rib or any thing of that kind. I don't think that I found anything which would justify me in saying so.

Q. But did you see the indications of a bruise?

A. Yes, sir; an external bruise?

By Senator Hart:

Q. Did the injury seem to be only skin deep.

A. No, I understood that the injury was—well, possibly deeper than the skin.

Q. I mean it wasn't internal; the injury.

A. No, sir; it didn't seem to be.

By Mr. McCrum:

Q. How long could the fracture of a rib likely be detected, or is likely to be detected, from an outward examination?

A. Why, I do not know. It could be—

Q. How long before it disappeared entirely?

A. After the fracture of a bone, such as a rib, there would be evidence for months, and possibly a year before the callus that is thrown about the fracture of a bone would be absorbed so that it could not be felt at the ends of the bones.

Q. In a year, you think, perhaps you may be unable to discover it at all?

A. You might, possibly, in a year or fifteen months.

Q. Would it not depend on the age of the man?

A. Somewhat ; yes, sir.

By Mr. McKenna :

Q. What was the physical condition of this man Carroll when he was presented to you for examination, as to his physical health ?

A. Well, I cannot recollect that. My impression was that he was affected with a sickness and disease such as he had.

Q. State whether or not this man claimed that any of his ribs were broken.

A. I cannot say that he did, nor that he did not.

Q. But he claimed that his spine was injured. He asked you to examine that ?

A. No, sir.

Q. You did not detect any signs in your examination ; is that correct, about the spine ?

A. No, sir ; I said there was none, at least I have no recollection of any.

Q. His brother was there and Dr. Green, were they ?

A. Yes, sir.

Dr. A. W. GREEN, a witness, re-appearing before the committee, being duly sworn, testifies as follows :

By Chairman McCrum :

Q. Where do you reside ?

A. Meadville, Crawford county, Pennsylvania.

Q. You are a practicing physician ?

A. I am.

Q. You are a graduate of what college ?

A. University of Pennsylvania.

Q. How many years have you been practicing ?

A. Since 1844. I graduated in 1844.

Q. And now practice in Meadville ?

A. Yes, sir.

Q. State to the committee if you made an examination of Mr. J. W. Carroll.

A. I examined a Carroll. I don't know if it was J. W. That is the gentleman I see there, [pointing.]

Q. The gentleman you see in the other room ?

A. Yes, sir.

Q. Did you examine him in company with T. D. Lashell ?

A. I examined him with Dr. Lashell, at Dr. Carroll's house.

Q. Please state what you found.

A. Well, I found some abrasion under the chin, and evidently his beard had been torn out. How, I don't know, and found two or three marks on one side of his neck, and one small mark on the other side. On the left side, I think, there was an abrasion which he, I think, claimed to be the result of a kick. I do not know whether it was or not.

Q. On the left side of the neck—on the left side ?

A. I think it was on the left side.

Q. How long after these injuries did he claim, or do you know, that this examination was made ?

A. It had been but a short time, I think. I do not remember how long. It was quite a short time.

Q. Did you discover any evidence of a fracture or broken rib ?

A. I did not.

Q. Or injury of the spine ?

A. I did not.

Q. Did you find marks, and his body discolored?

A. Yes, sir. Found some marks where it seemed as though there had been some extravasated blood, but it seemed to have been done so long before I saw it that it was pretty much absorbed when I did see it.

Q. What was his bodily condition?

A. I think it was pretty fair, considering his illness, and where he had been.

Q. And his mental condition?

A. Very good, but seemed to be a little nervous.

By Senator Hart:

Q. Were those marks you saw upon his neck such as might be made by finger-nails?

A. Probably might.

Q. Who was with you at the time this examination was made?

A. Doctor Lashell was with me, and we made the examination together at Doctor Carroll's house.

A. At Doctor C. C. Carroll's house?

A. Yes, sir.

Q. Was Doctor Carroll present?

A. Doctor Carroll was present. I have no data or memorandum to work from, and, of course, I have to trust to my memory pretty much.

Q. Was it about November, 1879?

A. I think so. I remember distinctly it was on Sunday.

Cross-examination:

By Mr. McKenna:

Q. You were one of the physicians that examined Mr. Carroll before he was sent to Dixmont?

A. No, sir.

Q. Your examination was after his return?

A. After his return.

Q. You knew him before his admission?

A. Never saw him before I was requested to call and see him, with Doctor Lashell, by Doctor Carroll, his brother.

Q. That was after his return?

A. After his return.

Q. Then you don't know, I presume, Doctor, how long since he had been admitted to the hospital, and discharged?

A. Only by hearsay.

Q. You don't even remember even the date of your examination?

A. I remember it was in the fall of 1879, and on a Sunday, and, I think, in November.

Q. At the time of examination made, how long did he allege it was—how long a time had elapsed since he had received the injury?

A. Well, I think, five or six weeks, as well as I can remember.

Q. Did he claim to you that his ribs had been broken?

A. Not that I remember.

Q. Or fractured?

A. Not that I remember.

Q. Was the spine injured—did he claim any injury there?

A. I did not hear anything.

Q. If there had been, from the examination yourself and Dr. Lashell made, can you say you would have discovered it, made so recently?

A. I should think so. The ligamentous tissue does not unite so rapidly; it is a slow process.

Q. Was there injury about the spine?

A. I don't think our attention was called to his spine.

Q. You say, in addition to yourself, Dr. Carroll, his brother, and Dr. Lashell were there?

A. Yes, sir.

Q. Did he take part in the examination?

A. He probably reminded us to look at certain points.

Q. Did he call your attention to the ligaments?

A. I don't think he did.

Q. Or the ligamentous detachments, or—did the brother ask it?

A. I don't remember that he did.

Q. How long were you examining him?

A. As well as I remember, fifteen minutes.

Q. Did you examine all the injuries he complained of?

A. Yes, sir; I think we examined to his brother's satisfaction while we were there.

Q. Did you find anything serious, requiring treatment at all?

A. No, sir; that was the last time I saw him.

Q. Do you consider his condition, from any wound he had received, required it?

A. I cannot say that I did at that time.

Q. You say his physical condition and general health was good?

A. Well, considering that he was a man just returned from an asylum, I think he was in a fair condition. He was in pretty good flesh. He was a little nervous, probably.

Q. You found extraordinary injuries or signs of abuse upon him?

A. Nothing, save those marks of alleged violence, and that was generally about the neck, side, and under the chin.

Q. When examining this gentleman, did you find, between the scapula, on the back, of course, the space which would give an indication of having had a blister—a space of about six or eight inches?

A. I did not say. I think my attention was called to a space where a blister had been between the bones of the scapula.

Q. Did he complain of any injury there?

A. I think he complained that it had been torn off in a rough manner.

By Senator McNeill:

Q. At whose solicitation did you make this examination?

A. Dr. Carroll's.

By Senator Hart:

Q. Do I understand you that the pain spoken of here as showing evidence of there being a blister, that there was evidence of some violence having been inflicted upon that part of the body?

A. You mean in such a manner as a blister being lifted off violently—something of that kind?

Q. Yes, sir.

A. Well, that would be pretty hard to tell. A blister is pretty severe, and upon taking it off as carefully as you can, it will make the skin inflamed, you know.

By Mr. McKenna:

Q. Suppose that that blister had been placed upon his back by his friends or physician, and then a strait-jacket, without any shirt between, placed upon the man, and he conveyed on a wagon, on country roads, to a train, and then brought to Dixmont in that condition, would not that leave considerable marks?

A. Well, it would be pretty rough treatment.

Q. Would it not tear the blister off?

A. I don't know as it would tear it off. I don't think it would.

Q. Leaving aside the blister, and putting a strait-jacket, without any shirt on, or undershirt on, and putting it next to the skin, and then tying him or strapping him to a wagon, and then conveying him along country roads, taking him to a train to get him to Dixmont, do you not think that would cause an abrasion?

A. Of course that would cause a great deal of irritation.

Q. On the prominent part of the back, would it not?

A. It would.

Q. Suppose the blister had been taken off before the strait-jacket had been put on, and then the strait-jacket put on?

A. It would still, probably, have been just as bad, and may have been worse.

By Senator McNeill:

Q. Doctor, in making this examination, did you understand it to be for the purpose of prescribing for these injuries?

A. No, sir.

Q. You understand it to be for——

A. I went as a personal matter. I was a personal friend of Doctor Carroll.

Q. Was it the intention to use your examination as evidence?

A. I did not suppose so at the time, and never thought of the case afterward, at least, to not any extent. It was not on my mind at all.

Q. You was not asked to prescribe remedies for these injuries?

A. No, sir.

By Mr. McKenna:

Q. Doctor, did this patient ever propose to you, or write to you, as one of the examining physicians, to sustain his testimony, and notify you of his going on a lecturing tour of Dixmont, and cruelties practiced there?

A. No, sir; never heard a word from him since that day of any kind, either verbally or in writing.

Q. Did you ever tell him you would certify to that?

A. Not to my recollection?

By Major Walker:

Q. Had you been asked by any person, in the examination of the condition of Mr. Carroll at that time, to make such a note of the injuries alleged to have been inflicted upon him, in order that you might, at some future time, give testimony in the case?

A. I do not remember, but I think Doctor Lashell or I made a memorandum at that time.

Q. Is that a usual or an unusual thing for a physician to do?

A. If it is a matter to go before the courts, sometimes it is a usual thing to do. This matter I never expected to hear of again.

Q. Was it ever intimated at any time that it might be expected of you to go before the court?

A. No, sir.

Mrs. MARY K. COULTER, a witness who appeared before the committee, and being first duly sworn, testified as follows:

Examination by Major Walker:

Q. What is your full name?

A. Mrs. Mary K. Coulter.

Q. Mrs. Coulter, where do you reside?

A. At present in Baltimore, Maryland; my home is in Orangeville, Ohio.

Q. How long have you resided in the city of Baltimore?

A. Three months.

Q. Were you ever at Dixmont?

A. I was.

Q. Were you there in official capacity—as an employé, an attendant?

A. Yes, sir.

Q. State to the committee when you went to Dixmont.

A. November 2, 1881.

Q. What were you employed to do there?

A. I was employed as an attendant.

Q. What are we to understand, Mrs. Coulter, to be the duties of an attendant?

A. When they first enter Dixmont, they generally are what they call surplus, and as vacancies occur in the wards they are placed in the wards. I was first a surplus.

Q. What are the duties of a surplus—to assist the attendant?

A. Principally she is kept in the sewing-room during the day; assists sometimes in the evening; if the attendants are out of the wards for a day she takes their place; wherever she is placed.

Q. They are obliged, I understand, to remain in the ward during the entire day?

A. Not unless there is an attendant vacant in the ward; during the day she stays in the sewing-room.

Q. Where is the sewing-room?

A. The second story.

Q. Is it detached—away from the ward?

A. Away from the ward.

Q. Then, I understand, whenever there is an assistant needed a surplus is called in to take her place?

A. She is.

Q. Otherwise she is engaged in the sewing-room?

A. Yes, sir.

Q. When you first went there you were a surplus?

A. Yes, sir.

Q. How long after you had been there was you employed as an attendant?

A. I was an attendant only about a month, I think, regularly employed in a ward.

Q. How long did you remain at Dixmont?

A. Four months.

Q. And the last month you were an attendant?

A. Yes, sir.

Q. The balance of the time a surplus?

A. Yes, sir.

Q. Mrs. Coulter, I wish you would state what the duties of the attendants are—what is required of them?

A. She has the charge of the patients in the ward.

Q. How many are there in the ward?

A. Of attendants?

Q. Of attendants.

A. There is two attendants in the ward and a surplus.

Q. Mrs. Coulter, you say they have charge of the patients in their respective wards?

A. Yes, sir.

Q. What are we to understand by having charge—what do they do—what are they expected to do by their superiors?

A. They are expected to take care of the ward; see that it is kept properly, and also to compel—make the patients conduct themselves properly.

Q. That is the duties of attendants?

A. To see that they are taken care of.

Q. Mrs. Coulter, during the time that you were there, either as a surplus or as an attendant, did you ever see at any time any of the patients abused or maltreated, without stating who they were?

A. I have.

Q. You say you did?

A. I have.

Q. Did you know a patient there by the name of Mrs. Mitchell?

A. I did.

Q. Do you remember the peculiarities of her case—what her malady was, if you know?

A. She wished to destroy her life. What we term suicide.

Q. Was she confined in any particular way—different from the other patients?

A. She was strapped over the seat at times, and her hands confined in mufflers at times.

Q. Just go on and explain in your own way, explaining to the committee any maltreatment that Mrs. Mitchell received, and who inflicted it, and how it was done.

A. Principally by Mrs. J. McCaslin, who was a hall-girl while I was in the dining-room.

Q. Let me ask you in reference to the hall-girl—are they assistants to the attendants?

A. The hall-girl has charge of the entire ward, and the dining-room-girl has charge of the dining-room under the hall-girl.

Q. Do the hall-girl and dining-room-girl interfere with the attendants?

A. They are the attendants.

Q. Now, just in your own way, explain what Mrs. McCaslin did to Mrs. Mitchell.

A. Well, I would state in the first place Mrs. Mitchell was a very difficult patient to manage; her mind was about gone, and I saw Mrs. McCaslin push her when she would rise to go across the ward. I have seen her push her violently against the room—the seat—to compel her to sit there. I have seen her take her hands, and in attempting to put them in the muffler—a muffler, a mitten—they are placed on the hands and locked, and then a strap goes around the waist; the strap is clear around their waist, and that holds their hands in that [describing] position, and in attempting to put her hands in she would resist, and I have seen her take her keys—after a girl is hall-girl she has from ten to twelve keys—I have seen her take her keys and strike her hands and compel her to put them in it.

Q. In such a way as to injure her?

A. Why, it would rather hurt any one's hands to be struck with the keys, and it did her, and I have seen her pushed against the door with a great deal of force; Mrs. Mitchell would swing around, take hold of the door, and Mrs. McCaslin would take her keys and strike her until she would let go the door; and the sleeves, I have seen her, after we got the sleeves on her, in drawing them tighter, because she fought, she would jump on the settee and planting her foot against her stomach press Mrs. Mitchell backward, drawing the sleeves just as tight as she could. I have seen her draw them so tightly that Mrs. Mitchell would bend forward and groan.

There was no use to remonstrate; I was merely a dining-room-girl, and Mrs. McCaslin would say she would draw them tight.

Q. In putting the jacket on Mrs. Mitchell, was she confined to her room—her bed?

A. The sleeves would be put on at night, then she would be sent to her room and locked in.

Q. Whenever she had this strait-jacket, the sleeving, on, of which we have heard so much, would she be confined to the bed?

A. No, sir; they would just put the jacket upon her, and she would lie down herself.

Q. Was she ready for bed at that time?

A. At the time this jacket was put on?

Q. Yes, ma'am.

A. She was; the jacket is put on after they are undressed and ready for bed.

Q. Then she was locked in her room until next morning, when she is released?

A. Yes, sir.

Q. Mrs. Coulter, about this strait-jacket—when Mrs. McCaslin was putting it on Mrs. Mitchell was she standing up?

A. Standing up.

Q. Wasn't lying down?

A. No, sir; not lying down.

Q. And she put her foot against her stomach in order to tighten the jacket, as I understand?

A. Yes, sir.

Q. Until she nearly fainted from the loss of—

A. She would groan and merely say, "Oh, don't." That generally would be all she would say.

Q. Was Mrs. Mitchell physically a strong woman?

A. She was not.

Q. She was considered a sickly woman?

A. She was a very sick woman.

Q. Did you consider the treatment she received such treatment as she should have received?

A. She should not have received any such treatment. When well, she wasn't able to walk across the room; that is, when she was sane.

Q. Do you know, Mrs. Coulter, do you know Mrs. Barnhardt?

Q. I do.

Q. What was the peculiar malady of Mrs. Barnhardt?

A. I understood from the abuse of her husband; it drove her crazy, and lost her reason; that is what I was told.

Q. Did you ever, at any time, see any abuse or maltreatment of any kind inflicted upon Mrs. Barnhardt?

A. Principally taunting her with murdering her husband.

Q. Who done that?

A. Mrs. McCaslin.

Q. Do you remember the phraseology she used?

A. She would ask her what she had done with Rudolph, her husband, and Mrs. Barnhardt would reply she had left him home; and Mrs. McCaslin said she thought not, that she had laid him in the grave with bed-bug poison. She would reply she didn't do so at all. She would keep this up until she was in a perfect fury, and then she would curse and swear fearfully. Of course, then, it was difficult to quiet her, and it would end in Mrs. Barnhardt being locked in her room to quiet her.

Q. How often did you see that done, to the best of your recollection?

A. Four times a week I have seen it done.

Q. For the purpose of amusement?

A. It seemed to be so.

A. Mrs. Coulter, we come to the strait-jacket business, or the sleeving, as you call it. Did you ever know of their tying patients down to their bed?

A. Yes, sir.

Q. At night?

A. Yes, sir.

Q. Explain, as well as you can, the manner in which that is done. However, I would ask you, do you remember any particular case?

A. Yes, sir.

Q. Just state who.

A. We had two in our ward.

Q. Just go on first with one case.

A. Mrs. Watt.

Q. It was deemed necessary to put upon her a strait-jacket, as I understand.

A. Yes, sir.

Q. After that was done, and she was taken to her room, in your own way explain how they tied her to the bed.

A. Well, you all understand, I suppose, that when they have a strait-jacket on, their arms are folded across like this, [describing,] very tight; then there are what I should call armlets, made of double-duck cloth and wadded with cotton batting. They are fastened loose around the arms, and then in those strings of ticking, about an inch and a half wide, I think they are fastened to these armlets. This is tied to the post at the head of the bed and drawn very tight, just as tight as an attendant can draw it.

Q. On each one of the arms?

A. On each arm right around here, [indicating.] Then there are anklets. We place them around the ankles, and their feet are placed together, and they place the ankles around here, and a string and each one is taken and tied around here to keep the feet close together, and tied tightly, and then each string tied to the foot of the bed. In that way they are tied to the bed.

Q. In tying, when they are sleeved in this manner, was it necessary to bring the bandages around and tie it around on the side or back?

A. It was tied on the back.

Q. Did it form a knot?

A. It did.

Q. Were the patients required to sleep upon their backs?

A. Yes, sir; they were.

Q. They would lie, then, upon those knots?

A. Yes, sir.

Q. Would it injure the patients?

A. I don't think it would help any to have a heavy knot there.

Q. For what length of time were they kept in that position?

A. They were put in bed about eight or nine o'clock, and kept until six o'clock the next morning.

Q. Without any opportunity of being released?

A. They can scarcely move.

Q. They are kept that way all night?

A. Kept that way all night.

Q. Who had charge of the entire female wards?

A. Mrs. Hope.

Q. She was called what ?

A. Supervisoress.

Q. Do you know how long she has been in the institution there ?

A. About sixteen or seventeen years, I think.

Q. Is it Miss Hope or Mrs. Hope ?

A. Miss Hope.

Q. Do you know of her ever maltreating or abusing any patients ?

A. I never have seen her.

Q. What was her general conduct and treatment towards the patients and attendants that you saw ?

A. She was a very grim-appearing person.

Q. How often, Mrs. Coulter, did Doctor Reed visit the female wards or the ward in which you were in—No. 10, was it not ?

A. It was in No. 9.

Q. How often did Doctor Reed visit No. 9 ?

A. Not very often ; principally on a Sunday.

Q. Well, did he visit you or any member of the ninth ward in a professional capacity, or just as a visitor, or do you know ?

A. He would pass through the ward, I hardly know whether in a professional capacity or as a visitor.

Q. Would he prescribe for any of the patients ?

A. Not unless he was requested to.

Q. I understand you, about once a week ?

A. About once a week he passed through.

Q. In the female ward there is a physician, who has charge of the female patients of the asylum ?

A. Yes, sir.

Q. What is his name ?

A. Doctor Hutchison.

Q. How often did he visit you ?

A. Once or twice a day.

Q. He came around regularly ?

A. Regularly every forenoon.

Q. You spoke, a while ago, about Mrs. Watt, and you also mentioned the name of Mrs. McCaslin, one of the attendants. I wish you would state to the committee if you saw Mrs. McCaslin cut the mouth of Mrs. Watt with a cup, and, if so, how it was ?

A. By feeding her, and forcing the cup into her mouth in such a rough way that she cut her mouth, and blood was left on the cup after she took it away.

Q. You saw this ?

A. I saw it.

Q. Did you see Mrs. McCaslin force food into her mouth with the end of a knife ?

A. I did.

Q. What was the result of that, as far as you saw her mouth, as injury was concerned ?

A. It made her mouth bleed ; I saw blood on the knife, the handle, after she laid it down.

Q. What was the object of that ?

A. To compel her to eat.

Q. They have another system there of forcing food into the stomach ?

A. Yes, sir ; by tubing.

Q. Do you know Mrs. Shillon ?

A. I did know her.

Q. What was her peculiar malady--what was she confined there for--if you know?

A. Reason almost gone.

Q. Did you ever see her abused?

A. I saw Mrs. McCaslin strike her in the face because she would not swallow the food placed in her mouth.

Q. Did you ever complain to the supervisors of this maltreatment that you had seen there?

A. I have.

Q. Did you ever complain about the treatment that you saw Mrs. McCaslin give the patients?

A. She was the one I complained of; the one I told Miss Hope of.

Q. When you told Miss Hope of the brutality of Mrs. McCaslin towards the patients, what did Miss Hope do?

A. She told me she didn't know which one lied; whether it was I or the other one.

By Mr. McKenna:

Q. Who was the other one?

A. Whether it was myself that lied or Mrs. McCaslin.

By Major Walker:

Q. I suppose after that you didn't bother yourself much more about complaining to her.

A. No; I knew there wasn't much use to talk to Miss Hope about anything.

Q. Did Miss Hope express any opinion about you being a very tender-hearted and kind-hearted woman?

A. She told me, my sister-in-law, about being soft-hearted; that Kate was entirely too much of a baby; too baby-hearted for such a place.

Q. You were not used to such conduct?

A. No, sir.

Q. Mrs. Coulter, you know, I suppose, the amount and the character of the food that is brought into the dining-rooms?

A. I do; it is most—

Q. What time did you have breakfast in the morning?

A. About seven o'clock, I think.

Q. Is there any rule by which the patients know the time designated for breakfast?

A. By the ringing of a bell kept in the dining-room.

Q. Then the patients, of their own volition, go to the dining-room?

A. Some do; those who refuse we have to compel to go in; lead them in.

Q. Just state to the committee what was the character of the food, usually, that you had for breakfast; what composed your breakfast as a rule?

A. We had steak sometimes, and bread, and butter, and coffee.

Q. The same process went through for dinner that you had for breakfast?

A. Yes, sir.

Q. What was the usual food that you had for dinner?

A. Well, it was different each dinner-time.

Q. You had vegetables—did you always have meat?

A. We always had meat for dinner.

Q. Then, at supper the same process went through?

A. Yes, sir.

Q. Did you have meat for supper ?

A. No, sir.

Q. Mrs. Coulter, state to the committee, if you know, what kind of food you got ; whether it was pure, wholesome, nutritious food, or whether it was tainted, bad food, so far as you know.

A. Well, I considered it unhealthy and very poor food ; unfit for anybody to eat ; poor in quantity and poor in quality.

Q. Do you know of any of the meats that were apparently tainted ?

A. I called it all, or nearly all tainted meat.

Q. How about the sugar ?

A. The sugar was unfit for any one to eat.

Q. Just explain.

A. The brown sugar—the white sugar was better. We mostly had light-brown sugar, a coarse-looking sugar: I know if I put a drop of that sugar in my mouth it caused me great pain. We had one patient assisting in the dining-room, and when she would eat any it would make her sick in the stomach. I know it was real, for it served me in the same manner.

Q. How about the tea, Mrs. Coulter ?

A. The tea was very poor.

Q. How could the attendants get any better ?

A. We had to purchase for ourselves.

Q. You would buy your own ?

A. I purchased my own.

Q. Where did you purchase it ?

A. I purchased it in Allegheny.

Q. Do I understand that the reason you purchased your own tea was that you considered the supply furnished by the hospital was not healthy ?

A. I considered it unhealthy to drink that kind of tea.

Q. Mrs. Coulter, how many rooms are there in the ninth ward ?

A. If I remember right, I can't say positively, but I think fourteen sleeping-rooms.

Q. On each side, or altogether ?

A. Belonging to the patients, there are eight sleeping-rooms for the patients on one side and six on the other, to the best of my recollection.

Q. Fourteen altogether ?

A. Yes, sir.

Q. How many patients were in that ward ?

A. When I first went there, twenty-eight.

Q. There were fourteen sleeping apartments and twenty-eight patients ?

A. Yes, sir.

Q. How many when you came away ?

A. Twenty-five.

Q. How could you accommodate twenty-five or twenty-eight, and only fourteen rooms ?

A. There was one single bed in each room, and those would be filled, and the rest would have to sleep on the floor or on straw mattresses.

Q. Do you know of any patients that were placed in those rooms where there were three or four placed in with some that might attempt to do those in there bodily injury ?

A. I never knew of but one.

Q. State how it was.

A. Mrs. Mitchell placed her head between the slats, trying to push the mattress up, pressing her throat——

Q. Did you see that ?

A. I didn't see that, but I was in company with Kate, and she told me——

Q. In these fourteen rooms about what time did they retire?

A. Between eight and nine.

Q. They are then, as I understand you, locked in these rooms?

A. Yes, sir.

Q. Is there any way, Mrs. Coulter, in case of urgent necessity, of the patients getting out of these cells until the next morning?

A. There is not, unless they can arouse the attendants.

Q. Is that an easy or difficult matter to do; are the attendants asleep at night?

A. Yes, sir; they are asleep at night.

Q. You could not probably hear very easily from the extreme end of the corridor?

A. Not very easy.

Q. Then, I understand, they are obliged to remain in those cells until the next morning, no matter what their condition is, unless they could arouse an attendant?

A. Yes, sir.

Q. Were you in any other of the wards as an attendant or surplus?

A. No, sir.

Q. Then you know nothing about the other wards?

A. Only for a day or two, as I would be placed in the other wards.

Q. Are there any female physicians connected with the institution?

A. There is not.

Q. No person but Doctor Wylie and Doctor Hutchinson?

A. As I understand it.

Q. Is it understood that Doctor Reed is the medical examiner—that he treats the patients like Doctor Wylie and Doctor Hutchinson does?

A. I don't know whether he does or not.

Q. Mrs. Coulter, did you know a patient there called Katy Haley?

A. I did.

Q. Was she confined in your ward?

A. Yes, sir.

Q. Ninth ward?

A. Yes, sir.

Q. In your own way, state whether you ever saw any of the attendants misuse Katy Haley.

A. Just once.

Q. Just state how it was, and how the attendant was misusing her.

A. Shall I tell it—

Q. Just as it occurred.

A. Well, it was one noon that Mrs. McCaslin was getting a number of patients ready to take them out walking. I had just come from the dining-room, and sat down beside Mrs. McCaslin on the settee, and she called Katy Haley, asking her to come and let her fix her hood for her; she came up, and without any warning sprang on Mrs. McCaslin, tearing the skin from her face on both sides on the cheek, causing it to bleed. I sprang up and told her if she done that again I would strike her with the keys; she sprang at me then, and I struck her on her arms; that caused her to let go; that was the only time I ever struck; I acknowledge that; then Mrs. McCaslin recovered herself, and pushed her down on her back, and struck her with the keys on the back; I told Mrs. McCaslin I thought she had enough, and she took her by the sleeve and sleeved her, and put her into a room.

Q. Did she use a strap?

A. No, she didn't use a strap.

Q. Mrs. Coulter, I understand you to say you were at Dixmont four months?

A. Yes, sir.

Q. Why did you leave Dixmont?

A. They discharged my sister-in-law, and I told them they could take my notice.

Q. They discharged your sister-in-law, and you left because they discharged her?

A. Yes, sir.

Q. You had no difficulty against any of the officials?

A. No, sir.

Q. The only reason was because your sister-in-law was discharged?

A. Yes, sir.

Q. In tying the patients in bed and in sleeving them, as you told, does it ever happen that their arms are ever injured? Did you ever see any person's arms that were injured? Did you ever see Mrs. Watt's arms?

A. Yes, sir; from the sleeves—the constant wearing of the sleeves—she had a running sore on her arm.

Q. Just state, as well as you can, Mrs. Coulter, where it was—what part of the person was it upon?

A. Why, on the elbow.

Q. On the elbow?

A. Yes, sir.

Q. Did she receive medical treatment?

A. She did.

Q. For that?

A. Yes, sir.

Q. Did the physician know what caused it?

A. Yes, sir; I think he did.

Cross-examination by Mr. McKenna :

Q. Where do you live?

A. My home is Orangeville, Ohio. At present I am living in Baltimore, Maryland.

Q. How long have you been living in Baltimore?

A. About three months.

Q. Your husband living there?

A. No, sir.

Q. Not living with your husband?

A. I decline to answer the question.

Q. What is your occupation?

A. Nurse.

Q. Where?

A. I am not at any place. I am at present in the sanitarium in Baltimore.

Q. At present you are in the sanitarium?

A. Yes, sir.

Q. What kind of a sanitarium?

A. For giving baths.

Q. Have you ever had any experience as a nurse before that?

A. I have.

Q. Where were you employed before that?

A. Doctor Jack's, at Danville, New York.

Q. What sort of an institution?

A. A hygienic institution in Danville, New York.

Q. Where did you go from Dixmont?

A. I went to Allegheny a few weeks, and then to Walters' Institution in Berks county in Pennsylvania.

Q. Still in your capacity as nurse?

A. No, sir; as kitchen maiden there.

Q. When did you leave Dixmont—what day?

A. March 7, 1882.

Q. You say there were no charges preferred against you?

A. Not that I know of.

Q. Do you know the reason, or were you discharged?

A. The reason: I gave in my notice, with the request that I could go the same day.

Q. Did you serve your time out?

A. No.

Q. Why?

A. I asked them if they would let me go the same day that my sister went, and they said they would, and I went.

Q. In what capacity was your sister employed there?

A. As an attendant.

Q. In the same ward with you?

A. No, sir.

Q. I understand that putting all your service together as an attendant—were you first there for three months as a surplus or supernumerary?

A. Yes, sir.

Q. During that period what were your duties?

A. Principally kept in the sewing-room.

Q. Sewing for whom?

A. Sewing for the patients. Different sewing was given us to do.

Q. During that time you didn't come much in contact with the patients?

A. Only in the morning and in the evening.

Q. How?

A. When we would go to the wards. We ate in the wards, and slept in the wards.

Q. But, so far as handling and treating them, you saw them very little?

A. Not very much.

Q. Then your actual experience was limited to about a month?

A. About a month.

Q. And that was principally in the ninth ward?

A. Yes, sir.

Q. All this treatment, you allege, was during that period?

A. During that period.

Q. Who was this woman that you acknowledge you struck on the arms with keys?

A. Katy Haley.

Q. What for?

A. For taking Mrs. McCaslin and then turning on me.

Q. Was she in the habit of doing that; was she violent at times?

A. At times.

Q. This Mrs. Watt that you have spoken of, that had to be sleeved or a strait-jacket put on—what was the reason those sleeves had to be put upon her, or strait-jacket?

A. She was suicidal.

Q. Had a tendency to injure herself?

A. Yes, sir.

Q. Do you know, as a matter of fact, whether she did injure herself or attempt to?

A. Not to my knowledge.

Q. Had she those sleeves on when you came in there as an attendant?

A. Yes, sir.

Q. And she had them on when you left—

A. Excuse me, do you mean when I first came into the dining-room or into the hospital? She was not there when I came into the institution first.

Q. When you came into the ninth ward, as attendant, she had sleeves on?

A. Yes, sir.

Q. Was she very violent?

A. Not very.

Q. Was she the lady that you said had a sore on her arm?

A. Yes, sir.

Q. Do you know anything about her history before she came there—to Dixmont?

A. No.

Q. Didn't you know her outside the institution?

A. No, sir.

Q. Do you know whether she had that sore on when you came into the ninth ward—on her arm?

Q. That occurred while I was surplus.

Q. You don't know the circumstance—how it occurred?

A. Wearing the sleeves constantly.

Q. How do you know that?

A. Mrs. Blackwood, the hall-girl, told me so.

Q. Do you know how long Mrs. Blackwood was there?

A. I don't know?

Q. There before you?

A. Yes, sir.

Q. Before the patient?

A. Yes, sir.

Q. Mrs. Mitchell, you stated, was a very difficult patient to manage; what did you mean by that?

A. In attempting to sleeve, or attempting to do anything for her, she was constantly resisting.

Q. Why did they attempt to sleeve her?

A. She had to be sleeved at night on account of being suicidal.

Q. Did she pick her face and hands, and things of that kind?

A. She did; she would eat her fingers and her arms, and so on.

Q. It was to keep her from doing bodily injury to herself this strait-jacket was put on her?

A. That was put on at night; the mittens were put on her during the day—when her arms and hands got so sore they was put on her.

Q. Why was it put on at night?

A. To prevent her suicidal tendencies.

Q. Were those gloves or mittens taken off when the strait-jacket was put on?

A. Yes, sir.

Q. Was she very violent—would she strike the attendants?

A. No, sir.

Q. How would she manifest her resistance?

A. Why, you attempt to put her arm in the sleeve and she would jerk her arm away, and start and walk off.

Q. Isn't it a very common thing for these patients to resist, and resist very violently, in the effort to put this strait-jacket on?

A. They did not in our ward.

Q. Would they submit to it peacefully?

A. Yes, sir; some of them would, others would beg not to be sleeved.

Q. Did they ever ask not to have the jacket put on—the mufflers?

A. Oh, they would beg of us not to put it on.

Q. Who was the other lady?

A. Mrs. Watt.

Q. You mentioned Mrs. Watt, too; now who was the other?

A. Mrs. Barnhardt.

Q. She is a German lady, is she?

A. Yes, sir.

Q. Had you and Mrs. McCaslin any difficulty?

A. We didn't agree very well.

Q. Was that from the first?

A. We never agreed very well.

Q. You may tell us what that was about, if it was in relation to your duties in the dining-room.

A. It was partly in relation to the work in the dining-room. Mrs. McCaslin, when I was in the ward, thought I ought to do her own work, and I thought I had enough of my own.

Q. It was a conflict of authority?

A. At some times, and sometimes about Mrs. Mitchell. I would request her to be a little easy on her.

Q. How long had Mrs. McCaslin been there before you?

A. I was surplus when I first went there, and she was dining-room-girl, and Mrs. Blackwood was hall-girl, and when Mrs. Blackwood left, she took the hall, and I took the dining-room.

Q. Miss Hope was your superior?

A. Yes, sir.

Q. Mrs. McCaslin was your superior of that ward?

A. In charge of it.

Q. And in charge of you?

A. Yes, sir.

Q. You complained about the bill of fare down there—did you notice that when you were surplus there?

A. I did from the time I went into the institution.

Q. This period that you were in there as surplus was the beginning of a probation, preparation for permanent attendant?

A. It might be so called.

Q. Do they pay the attendants better wages than the surplus?

A. They do not.

Q. What is the object of having them there as surplus?

A. They employ them for the sewing in the institution, principally.

Q. And you say from the first you went into the institution, before you had care of the inmates at all, you discovered how bad the bill of fare they had there was?

A. Yes, sir.

Q. Did you ever complain to Dr. Hutchison of the diet there being bad?

A. No, sir.

Q. Did you ever complain to Miss Hope that it was inferior?

A. Well, when I returned to the sewing-room from our ward we used to tell her we hadn't enough to eat and tell her how miserable it was.

Q. Did you yourself enjoy pretty good health there?

A. Until—I did at first, until in February my health wasn't very good there.

Q. How soon before you left?

A. About three weeks before I left.

Q. Weren't the duties there very confining and close—the duties of an attendant?

A. Yes, sir.

Q. A very severe life, the confinement alone?

A. It is very confining there.

Q. Do the attendants and the patients partake of the same table and food?

A. I never seen a ward they didn't, they didn't eat at the same table, though, I mean to say.

Q. They had the same table?

A. The same table.

Q. So far as you could say, had they the same kind of food?

A. The same kind of food.

Q. Who gave it to them?

A. The dining-room girl; you mean who gave it to the patients?

Q. Yes, ma'am.

A. The dining-room girl would distribute it around, or had one of the patients who was able to distribute it around, place it on their plates at the table.

Q. When a patient didn't come to the dining-room with the other patients, was it part of your duty to take their meals to their rooms?

A. No, sir; we were required to go and bring them into the dining-room.

Q. Suppose they didn't go?

A. It was taken to their room.

Q. Did you take it at times?

A. No, we never had any while I was there that didn't come to the table.

Q. In the assignment of your duties, was it not announced to you that it was your duty to take it there for the patients?

A. It would be.

Q. At the time this lady was being treated in such a cruel manner, Mrs. Mitchell, whose mouth was bleeding—

A. No, Mrs. Watt—

Q. They were attempting to feed her with a knife forcibly?

A. Yes, sir.

Q. Was it your duty on that occasion to give the lady her meal?

A. Yes, sir.

Q. Mrs. McCaslin was feeding her?

A. No, it was the duty of the hall-girl to assist in feeding.

Q. You were dining-room attendant?

A. Yes, sir.

Q. Why didn't you do it?

A. I was feeding Mrs. Mitchell.

Q. You announced it was a part of your duty a moment ago—didn't you say it was part of your duty?

A. I was helping to feed Mrs. Mitchell.

Q. So that you and Mrs. McCaslin both were engaged?

A. Yes, sir.

Q. Did you ever inflict punishment upon Mrs. Mitchell?

A. I did not.

A. At the time that the injuries on Mrs. Watt were inflicted by compelling her forcibly to eat; who was present beside yourself, and the lady who was administering the food?

A. I think no one but the patients.

Q. Mrs. Mitchell was always easier to make take her food, than Mrs. Watt, wasn't she?

A. Not much easier.

Q. Did you put the patients to bed at night?

A. I assisted.

Q. Do you remember being reprimanded very severely for kicking a patient, who was being placed in bed by you one night, and they would not hereafter allow you to place any more patients in bed?

A. No, sir.

Q. That never occurred—you deny that?

A. I deny that.

Q. You say you were not discharged for incompetency?

A. I was not discharged.

Q. Not notified that you were discharged?

A. No, sir.

Q. Do you claim to have a knowledge of medicine?

A. No, sir.

Q. Didn't claim to be a doctress?

A. No, sir; I don't.

Q. Were you not insisting down there on the hygienic treatment?

A. Not at present.

Q. I mean while you were there, were you not enforcing your views on them, about the treatment of these patients?

A. At Dixmont?

Q. Yes, ma'am.

A. No, sir; I was not.

Q. You have narrated, now, Mrs. Coulter, all the circumstances of cruel treatment that came under your observation?

A. All but one; I don't think I stated about Mrs. McCaslin, who, in sleeving Mrs. Mitchell—I assisted in sleeving her—thought it was not tight enough, and she took the sleeves, and jerked her so forcibly that she jerked her off her feet, and Mrs. Mitchell struck on the end of her spine—sprang six or eight inches from the floor—I don't think I mentioned that.

Q. Was that before or after your scene with Mrs. McCaslin?

A. That was while I was dining-room-girl; we never had any open difficulties, but there was a coolness between us.

Q. What did you disagree about?

A. I defy anybody to agree with Mrs. McCaslin.

Q. You couldn't agree on any subject connected with the patients?

A. No, I didn't agree with her; I didn't say very much about it, it wasn't of very much use.

Q. How long had Mrs. McCaslin been there?

A. She came about a month before I did.

Q. Did you ever refuse to give a patient medicine when directed by the proper authorities?

A. No, sir.

Q. Do you remember of ever throwing any of it out?

A. No, sir; never threw any of it out.

Q. Do you remember throwing medicine out in the sink in the dining-room?

A. No, sir; only what would be left in the cups they would give them; they would bring them in the glasses.

Q. I mean the medicine you were directed to give to the patients?

A. No, sir; I never threw anything out.

Q. Don't you know, or do you know, Mrs. Coulter, whether the trouble about Mrs. Mitchell was investigated or not?

A. I don't think it ever was.

Q. Do you know Mr. Townsend, of New Brighton, one of the managers of the hospital?

A. I don't.

Q. You never complained, either of the bad treatment received by the patients or Mrs. McCaslin's conduct, either to Dr. Reed or Dr. Hutchison?

A. No, sir; I didn't; we had no connection with Dr. Reed.

Q. Had you with Dr. Hutchison?

A. I was in the dining-room when he passed through; I supposed it was no use.

Q. Why didn't you?

A. I thought it was no use.

Q. Why?

A. I thought it was of no use at all.

Q. You just thought so?

A. I thought they certainly ought to have heard enough.

Q. You didn't tell him?

A. We told his son, Willie Reed, one day in the dining-room to tell his father of the bad food?

Q. Willie is a boy?

A. Yes, sir.

Q. He had nothing to do with the institution—a school-boy?

A. No, he has not; he is a school-boy.

Q. Is that the recognized way, by the rules of the asylum, to report?

A. I don't know whether it was or not.

Q. You don't know the rules?

A. No; I think the rules usually in the——

Q. Did you ever read the rules?

A. I didn't know whether they had any printed rules. Mrs. Reed told us the rules when we first went there.

Q. Did she notify you that her son, a school-boy, Willie Reed, should be the medium of reporting complaints?

A. She said nothing about him; we only thought it was a good chance to send word to his father, because we knew he would tell.

Q. How did you and Miss Hope get along?

A. We got along well enough.

Q. You made some remarks about her countenance?

A. She has not a very pleasant-looking countenance.

Q. How is she personally—does she belie her looks?

A. I think not.

Q. Had you any trouble with her?

A. No.

Q. How long has she been there?

A. I was told about sixteen years. I don't know, though, from my own knowledge.

Q. And you say you never had any trouble with Miss Hope?

A. Nothing special.

Q. What do you mean by "nothing special?"

A. Why, that we never had any particular words. She was often in the

wards, and I never received, if I remember right, any special scolding from her; or reprimand, if I remember right.

Q. Is it common to lecture the attendants if they don't do right—does Miss Hope do so?

A. It is her duty, I suppose.

Q. Did you tell Willie Reed, or anybody else there, about your striking this lady with the keys?

A. No; I didn't. I told my sister; that is all.

Q. As I understand you, it was necessary to use force on that occasion?

A. It was necessary, because she attacked me, and tore the skin up on my hands with her nails.

Q. Is it not necessary sometimes, when these people have violent paroxysms, to use harsh measures?

A. Sometimes you have to be harsh with them; very severe sometimes.

By Mr. Graham:

Q. Mrs. Coulter, you say that in the ninth ward at night it was very difficult for the patients, after they had retired to their rooms, to summon the attendants to be heard?

A. Well, if the attendant is a very sound sleeper, it is.

Q. Isn't it the duty of the attendants to be on the watch at night, so as to hear any summons that they may receive?

A. No, sir.

Q. They have not supervision over the ward at night, then, during the sleeping hours?

A. No, sir.

By Major Walker:

Q. Is ward No. 9, that you had charge of partially—is that considered the most violent ward of the female patients?

A. It is not; that is what is called a medium ward.

Miss CATHERINE ELIZABETH COULTER, a witness who appeared before the committee, being first duly sworn, testified as follows:

Examination by Major Walker:

Q. Where do you reside, Miss Coulter?

A. My home is in Orangeville, Ohio. I now reside in the city of Baltimore.

Q. How long have you been in the city of Baltimore?

A. Since the 31st of October.

Q. You are with your sister in the Sanitarium, are you not, in Baltimore?

A. Yes, sir.

Q. Were you ever in Dixmont, as an attendant or as surplus, or in any capacity whatever?

A. Yes, sir.

Q. Miss Coulter, will you be kind enough to state when you first went to Dixmont?

A. I went on the 2d day of November, in the year 1881.

Q. In what capacity were you employed while you were there?

A. I was usually employed in the sewing-room. I boarded and slept in the tenth ward.

Q. Were you what was known as a supernumerary—what they call a surplus—or as an attendant?

A. I was what they called a surplus. I was expected, while I was in the ward, to look after the patients, and have care over them.

Q. You never was, as I understand you, an attendant—simply a surplus?

A. Yes, sir.

Q. How long were you there?

A. A few days over four months.

Q. Miss Coulter, state to the committee why you left Dixmont hospital—you were discharged, were you?

A. I was discharged.

Q. Just state to the committee why you were discharged, if you know.

A. Well, I was discharged because I had complained several times about the abuse of the patients—the terrible manner in which they were abused, especially Mrs. Mitchell, a friend of mine, whom I had known, and I sent word to Doctor Reed, through a lady that was there, that if he didn't have Mrs. Mitchell taken from the ward she was in, (she was then in the ninth ward,) I would send word to her husband.

Q. You sent that word to Doctor Reed?

A. Yes, sir.

Q. Whom by?

A. Mrs. Clemens, and then Miss Hope.

Q. Who is Mrs. Clemens that you speak of?

A. She had charge of the store-room in the ward.

Q. Miss Coulter, was Mrs. Mitchell in your ward?

A. No, sir; she was in the ninth ward.

Q. Just state how you knew of the maltreatment of Mrs. Mitchell, who was in another ward.

A. I saw a great deal of it.

Q. Miss Coulter, just state, in your own way, what you saw—any misuse or any maltreatment received by Mrs. Mitchell from any attendant—just what you saw yourself in reference to Mrs. Mitchell.

A. Well, I have been in the ninth ward when they were sleeving her, in the evening, to put her to bed, and I have saw them take her by the arm and jerk her half way across the hall.

Q. Who did that?

A. Mrs. Blackwood and Mrs. McCaslin, the attendants in the ninth ward, and sleeved her very tightly, indeed; and she begged of me to take her away from them. And I have seen them take her this way, [describing,] and shove her clear across the room, and knock her down so she would fall against one of the seats.

Q. These same attendants?

A. Yes, sir. I would see her walk down behind her and take her this way, [describing,] and whip her over the back with the keys.

Q. What was Mrs. Mitchell's malady? Was she very violent?

A. Only to herself. She was a suicidal patient.

Q. They have to guard against that?

A. Yes, sir.

Q. In the treatment of her, in sleeving her and other violent treatment which she received from the attendants, in your judgment, was it necessary to use such violent treatment?

A. I thought not.

Q. Miss Coulter, do you know a patient there by the name of Mrs. Norcross?

A. Yes, sir.

Q. What was her peculiar malady?

A. Suicidal.

Q. Did you ever see the strait-jacket put upon Mrs. Norcross?

A. Yes, sir.

Q. In a violent way?

A. Yes, sir.

Q. Be kind enough to state to the committee what was the manner of sleeving or putting the jacket upon Mrs. Norcross.

A. Well, very much in the same manner that it was put upon Mrs. Mitchell.

Q. I will ask you whether the sleeving of the strait-jacket was put upon her after she was disrobed and ready for bed? I believe they always disrobe the patients before they put the jacket on them.

A. Yes, sir.

Q. Did you ever see them put the strait-jacket on and then tie her down to her bed?

A. Yes, sir.

Q. State to the committee the way in which that is done, how it is done, the manner, and, particularly in the case of Mrs. Norcross, who it was tied her to the bed or put this jacket on, and the manner in which it was done?

A. Well, I helped tie her to the bed; we were all expected to hold do these things; her arms were crossed this way, [describing,] and the sleeves of the strait-jacket are very long, and they are taken behind, and brought forward, and put through the arms, and the arm strap drawn down tightly, this way, [describing,] and brought around across the front, and drawn very tightly, usually on Mrs. Norcross because she resisted, and tied with a great knot right on the back.

Q. When they were confined to the bed, in what position were they laying?

A. On her back.

Q. She would be laying directly on this knot?

A. Yes, sir.

Q. They would be lying with their spine, as it were, on this knot?

A. Yes, sir.

Q. How would they confine them to the bed, so as to keep them in there?

A. There was armlets around each arm, drawn back with strings through the armlets, and were tied around the head of the bed-posts; the feet were also tied together and tied to the foot of the bed.

Q. Would there be an anklet?

A. An anklet, and they tied together, and then strings from the anklet to the end of the bed.

Q. With a string, or bandage, or rope so that they would have to remain in that position all night and could not move?

A. When they were tied tightly.

Q. Was Mrs. Norcross tied tightly?

A. Yes, sir; and she was also strapped with three strings or bandages across her body and across her head.

Q. Was it possible for her to get up when she was sleeved?

A. I don't think so.

Q. Did you ever know of her getting up?

A. Oh, no.

Q. Miss Coulter, do you recollect of a bucket of cold spring-water being thrown or dashed upon Mrs. Norcross when she was tied down in the position you have stated?

A. Yes, sir.

Q. Now, just state to the committee what you know of that.

A. Well, she always, or most always, with a very few exceptions, would cry and carry on terribly—I presume partly from pain—after she was tied in bed, and the girls, to quiet her, dashed this water on her.

Q. Who threw the water on her?

A. Mrs. Alexander.

Q. Who was Mrs. Alexander? Is she an attendant?

A. Yes, sir.

Q. This was after she was confined to her bed?

A. Yes, sir.

Q. Was this in day time or at night?

A. At night.

Q. About what hour?

A. About nine o'clock.

Q. Was she then taken up from her bed and her clothing removed, so she had dry clothing?

A. No, sir; her face even wasn't dried.

Q. Was she compelled to remain all night in bed with these wet clothes on?

A. Yes, sir; and had it on the next morning.

By Mr. Graham:

Q. Was it winter or summer?

A. Winter.

By Major Walker:

Q. Was the window open?

A. Yes, sir.

Q. And the cold air passing over her?

A. Yes, sir.

Q. You took her out of the bed next morning?

A. Yes, sir.

Q. Did she ask you to feel and see if the bed was saturated with water?

A. She asked me to feel her pillows, and they were damp.

Q. Do you remember of her throwing water any other time by the cupful?

A. They would frequently throw a cupful of water on her, and I want to say right here, that you may hear of my jerking Mrs. Norcross down, which I did once, but not violently. I had to sleeve her alone, and she of course fought, and didn't want me to, and I shook her by the arm.

Q. Did you succeed in getting it on?

A. No; not without help.

Q. I wish you would explain to the committee in regard to this water—was it a pail of water, and how large?

A. It was a wooden bucket.

Q. An ordinary wooden bucket?

A. An ordinary wooden bucket. I won't say that the pail was full, but it was more than half full, more than half full.

Q. Another thing I wish to know in reference to that is, whether you remember of the arms of Mrs. Norcross ever becoming injured by the bandages put on?

A. Yes, sir.

Q. Just explain whether Mrs. Norcross's arms were injured, and how.

A. Mrs. Norcross had a very sore arm from wearing the sleeves so tight.

Q. What was the character of the injury, Miss Coulter; what did it seem to be?

A. Well, just a raw sore on the back of her arm.

Q. Do you know how that was produced?

A. We supposed it was from wearing the sleeves. We knew of no other cause.

Q. Did you assist ever in dressing her arm?

A. No, sir; I stood by and saw it dressed.

Q. Of course, in seeing it dressed, her arm was bared?

A. Yes, sir; I saw the sore.

Q. Did you ever see Mrs. Noreross ill-treated or maltreated, or abused by any of the attendants?

A. Ever see Mrs. Noreross?

Q. Yes, ma'am; other than what you have narrated.

A. Yes, sir; I saw her jerked out of bed.

Q. Just explain that now; just what you saw there, and how it was done.

A. After being sleeved in that position all night she would sometimes complain of feeling very tired and sore, and unable to get up, and would not get up, and I have seen the girls, Mrs. Alexander, throw the clothes off her, jerk her out of bed and compel her to make her bed.

Q. Jerk her onto the floor?

A. Yes, sir.

Q. Do you know Mrs. Seltzer?

A. Yes, sir.

Q. Is there a Miss Coleman, an attendant, there?

A. She was there when I was there.

Q. Your ward?

A. Yes, sir.

Q. Miss Coulter, state to the committee whether you ever saw Mrs. Seltzer maltreated or abused by any of the attendants, and if so, by whom. Go on and tell us what you know of any kind of treatment that you saw Mrs. Seltzer receive from Mrs. Coleman, one of the attendants.

A. I seen Mrs. Carrie Coleman whip her over the hands with her keys until she would cry, and I have seen her do that repeatedly. I have seen her put her in a bath so hot—

Q. I want you to explain that fully.

A. In a bath so hot that Mrs. Seltzer cried, and refused to get in. The water was steaming hot. I could not bear it.

Q. Did you put your hand in?

A. I put my hand in. The water was steaming hot, and Mrs. Seltzer would put one foot in, and then pull it out, and said she could not get in. I spoke to Mrs. Coleman, and said that the water was too hot, and said she would teach her to get in, and she did finally compel her to get in with both feet, and after she done that she turned the cold water on.

Q. You saw this?

A. Yes, sir.

Q. Tell, in your own way, what the facilities were for the patients to receive, whenever they desired it, a drink of water?

A. The attendants were always expected to get the water; it was the only way they had.

Q. Where was the water—looked up?

A. Looked up.

Q. Was it accessible to patients?

A. No, sir.

Q. There was times they couldn't get water if they wished to?

A. They could not get the water unless some one gave it to them—some of the attendants.

Q. Would the attendants always supply them with water when they requested it?

A. No, sir.

Q. Do you know of any case where they refused?

A. I saw them very frequently refuse to get them water; in fact, I never

saw them get them a drink unless they were very near the bath-room or near the water. I was usually engaged in the dining-room, and very seldom went to my work that there wasn't three or four or a half dozen patients begging me to get a drink, and said they had wanted to get a drink for two or three hours. I have also seen them in the water-closet catching the water in the chambers, and drinking water out of them because they could not get it at the bucket.

Q. That you saw?

A. Yes, sir; and I have seen patients, after taking medicine, beg for water, and they wouldn't be allowed to have a drink.

Q. I wish you would state to the committee what you know about the food the patients had to eat, and how it was served.

A. Well, it was of the very worst kind, usually.

Q. Now state to the committee what the food was—how it was served—give us an idea of it.

A. There was very rarely enough of it, excepting bread and molasses; we usually had enough of that, but of any other kind of food we hadn't enough.

By Mr. Graham:

Q. Tell us what you had for dinner, breakfast, and supper, every day, as nearly as you can.

A. I can tell there was a certain morning we had mutton-stew for breakfast, potatoes throwed in and stewed with the mutton; coffee and tea for breakfast—no, coffee for breakfast—bread, butter, and molasses; the butter was very bad and rarely fit to be eaten.

By Major Walker:

Q. What amount of butter did they give you?

A. Of that—we most always had plenty of butter, such as it was, because we couldn't eat it, and the meat was of the coarsest kind, and cooked in the coarsest manner, usually so many hairs and sometimes roaches and bugs of different kinds in the meat. We attendants often bought our own food—our own butter, and tea, and crackers, biscuit, jelly, and such things.

By Mr. Graham:

Q. Then you had bread and butter, coffee, meat, and potatoes for breakfast?

A. We had. Yes, sir, but not enough to go around—not always. I very often suffered from hunger.

Q. What had you for dinner?

A. We usually had turnips, potatoes sometimes—different days, sometimes soup. I don't know what it was made of; I could not eat it and sometimes—we usually had boiled meat for dinner and bread and butter, cabbage—

Q. Sauer kraut?

A. I don't know; we had something; I don't know whether it was sauer kraut or what it was.

Q. Had you beans frequently?

A. I never remember seeing beans at Dixmont.

Q. Well, what had you for supper?

A. Tea, bread, and butter, mostly; sometimes ginger-bread, cheese, and apple sauce; but there was not enough to satisfy the patients; I have known patients to go to bed crying with hunger.

By Major Walker:

Q. Do you know Miss Diamond?

A. Yes, sir.

Q. Was she a patient?

A. Yes, sir.

Q. What ward was she in?

A. The tenth ward.

Q. If you know anything about her treatment in the tenth ward, I wish you would state to the committee what you know about it.

A. Miss Diamond was always a very quiet, peaceable patient, and very furious when she was once aroused. I have seen Mrs. Alexander throw water in her face to enrage her just for amusement—her own amusement and the amusement of others in the ward, and keep it up until she would become very furious, and on one occasion they had to sleeve her.

Q. Was she a very profane person?

A. Very profane when once aroused.

Q. And you say it was done for amusement?

A. For amusement.

Q. Did you know Katy Fondelier?

A. Yes, sir.

Q. Was she a patient?

A. She was a patient.

Q. What ward was she in—the tenth ward—the same ward as you were?

A. Yes, sir.

Q. State what you know about her treatment.

A. She was confined when I went there, in a dark room—sleeved and confined in a dark room, and kept there for ten weeks. I think she had been in the dark room when I went there, and she was kept there ten weeks altogether in the room—no furniture whatever—nothing at all in the room in the daytime, and at night a straw bed for to sleep on thrown on the floor.

B. Whereabouts is this dark-room?

A. In the room next to the bath-room, in the tenth ward.

Q. Is there any lights there into that room?

A. There is a window, but it is always closed—the blinds, I mean, are closed.

Q. So that it is perfectly dark?

A. Yes, sir. She was brought out of that room in the day time for breakfast, combed and washed and dressed, and put right back again, and kept there until dinner time.

Q. Was she strapped—confined in any way?

A. She was sleeved.

Q. What was she confined in the asylum for—do you remember?

A. For insanity.

Q. I mean the special malady.

A. I don't know. I never thought her insane until the week she died. She was insane then a day or two before she died.

Q. Did she die in the asylum?

A. Yes, sir.

Q. Did she die after she was taken out of this dark-room?

A. I don't remember exactly the length of time, but she was out three or four weeks when she began to complain. She was usually a great worker, and very willing to help the girls to do the work. At this time she refused to work, when she had been out a few weeks, and said she wasn't able to, and didn't feel well. Her ease was reported to Doctor Hutchison, who gave her some medicine, and she refused to take it, and said it made her sick. That was reported to the doctor by Miss Alexander. He said it was hysterics, and if she didn't take it never mind. They at first said they would tube her if she would not take it. They didn't tube, and the doctor said

to let her alone, and the doctor said she would come to after awhile. She didn't get better, and one Saturday night, after she had been complaining two or three weeks, she called in the night time. She first called Mrs. Alexander, and then Carrie Coleman, and she called all the girls. She wanted them to send for the doctor; she was very sick. They said that night she didn't need any attention, and shut her in the room again until the next day. We thought her mind was wandering, she talked rather strangely, and on Monday she was very insane, and didn't know anything or any person, and kept calling for Katy Fondelier. On Monday evening she was better, and we sleeved her and put her to bed, and on Tuesday morning—on Wednesday morning, Tuesday she was better all day—on Wednesday morning, before four o'clock, she wakened me and called me. I went to her, and she asked me for a drink of water. I got the water and gave her a drink, and, when I gave it to her, she said it was so warm she could not drink it, and asked me to let the water run awhile to let it get cold. I said: "Why, Katy, it has been running," and I asked her to come to the bath-room, and she said it was so hot in there she thought it would smother her, and Mrs. Whiffin, a patient who was with her, said: "She is very sick; I am afraid we are going to lose Katy." I went back, about half past seven o'clock, when Carrie Coleman, who went past Katy's room, called her, (who had to take the patients to the bath-room in the morning and wash them,) to get up and get washed. Katy replied she couldn't get up, and asked her if she would not bring the water to her, that she was too weak to get up. She said: "No; that if you can't come in a few minutes, I will come and help you." I was passing with the pitchers in my hand, and she asked me to get some water. I had the water-pitchers in my hand, and asked me to take the water to her bedside, that she was weak and could not get up. I told her if she would wait till I had set my pitchers down I would. When I went back to Katy I saw that she was up and dressed, and she sat down on one of the settees. She went into another room. She occupied another room than the dark-room while they were fixing her. She went into another room, and Mrs. Alexander took her by the arm and ordered her to get up, that she had made the bed once, and she told her she couldn't, but she ordered her to get up and cross the hall into another room on the bed.

Counsel for respondent objects to the witness giving, on the stand, any declarations which may have been made by the insane patients.

By Major Walker:

Q. Go ahead and just finish the narrative.

A. Well, she asked for her food—some weak toast and jelly—and Miss Hope said she would have it, and promised to send it to her, but she didn't; and she also wanted her window raised, because she felt she was smothering, and that was refused. I left the ward at eight o'clock and went down to the sewing-room, and about ten or half past ten Katy died in bed.

Q. Miss Coulter, how much time elapsed between the time that she was pulled out of bed, that you have narrated here, and the time she died; how long afterwards was it she died?

A. Well, it was between seven and eight that she was pulled out of bed, and she died about ten or half past.

Q. Of the same day?

A. The same day; in the morning.

By Mr. McKenna:

Q. Do you mean, by being jerked out of bed, that she was rudely dragged out of bed?

A. No; she wasn't rudely; she was taken by the arm.

By Major Walker :

Q. What is the object, if you know, of confining her in this dark room ?

A. As punishment for her running away.

By Senator Hart :

Q. Did she run away ?

A. She escaped from the asylum twice.

Q. Do I understand you that she died in this dark room ?

A. No, sir ; she didn't die in this dark room.

Q. How long before she died did she escape the last time ?

A. She was confined to the dark room ten weeks.

Q. She didn't escape after she was confined to the dark room ?

A. No, sir.

Q. Miss Coulter, where did she go when she escaped ?

A. I don't know ; she went to some village ; I don't know the name ; I did know but I have forgotten it.

Q. Where was this patient from—where was her home ?

A. I don't know that.

Q. How old was she ?

A. Twenty-five years old, she said.

Q. Was she violent, usually ?

A. No, sir ; she treated some of the patients rather badly.

Q. Did you consider her insane ?

A. I never thought her insane until, as I said, the week she died she was insane.

Q. Did she complain of her confinement in the dark cell ?

A. She very often wished she could get out, of course.

Q. Did she appear healthy at the time of this sickness that caused her death ?

A. Yes, sir.

Q. Was she provided with comfortable clothing in this room ?

A. Her bed was a straw tick laid on the floor ; I believe she had covering enough.

Q. The physicians of the asylum prescribed for her before she died ?

A. Yes, sir ; Doctor Hutehison was in attendance.

Q. Was he there that morning that she died ?

A. Yes, sir.

Q. Was he there at the time she died ?

A. I don't know whether he was ; he was a few minutes before, I know.

Q. Did you hear the physicians or any person state what the immediate cause of her death was ?

A. Hemorrhage of the lungs.

Q. Hemorrhage of the lungs ?

A. Yes, sir.

By Major Walker :

Q. Do you know Mrs. Alexander ?

A. Yes, sir.

Q. Is she a patient or an attendant ?

A. An attendant.

Q. In what ward ?

A. The tenth ward.

Q. Same ward that you were in ?

A. Yes, sir.

Q. I wish you would state to the committee what you know, if anything, of the treatment of Mrs. Alexander towards the patients in that ward ; first place, I will ask you whether she is a small or large woman.

A. She is large.

Q. Have you any knowledge as to about what her weight is?

A. I should think she would weigh one hundred and sixty or one hundred and sixty-five pounds.

Q. Very large woman?

A. A very large girl.

Q. She is an unmarried woman, is she?

A. Yes, sir.

Q. Just state the treatment that the patients received from Mrs. Alexander, so far as you know.

A. Her treatment, in general, to the patients, with a few exceptions, who were favorites, was usually harsh and cruel.

Q. Miss Coulter, state to the committee what we shall understand—what you mean by being cruel; how it was; give us an example in what way she was so cruel.

A. Well, by whipping the patients over the back with a strap that had a buckle on the end of the strap; whipping with the keys, and strapping them in an inhuman manner to the bed; throwing water in their faces, and not allowing them enough to eat, if she took a notion not to do so; and refusing to get them water when they desired it.

Q. Do you know of all those things having occurred?

A. I do.

Q. Of your own knowledge?

A. I have seen it.

Q. Seen it?

A. Yes, sir. I have also seen Katy Lavery, a girl from Erie—Carrie Coleman took her by one arm and Mat Alexander by the head, and dragged her down almost the length of the floor, and throw her into the room—drag her that way into the room, and Katy had her sleeves on.

Q. Drag her by the arm?

A. Mrs. Alexander had her by the arm, and Miss Coleman by the arm.

Q. Do you remember any case in which the patients were treated as you narrated, and Mrs. Alexander, being a very large woman—do you know of any instance of her sitting upon patients, getting down upon them in any way?

A. I have seen her at the table, sitting down on Mrs. Josephs, who was a patient, hold her down, and force food into her mouth until she had cut her mouth, sometimes with a knife-handle and sometimes with a cup.

Q. What was the object in that?

A. Mrs. Josephs refused to eat.

Q. And this was her means of compelling her to?

A. Yes, sir.

Q. I wish you would refresh your recollection as well as you can as to the treatment Miss Alexander gave a Mrs. Barnhardt.

A. Well, I seen her treat her in the same manner.

Q. What did you see Miss Alexander do, as far as her treatment towards Mrs. Barnhardt—what did she do?

A. I have seen her strap her off the hall with a strap into the dining-room, and then force her to eat in the same manner as she forced Mrs. Josephs.

Q. In the same way?

A. In the same way, and sitting upon her lap.

Q. Physically, what was Mrs. Barnhardt—was she large or small?

A. She was rather small—medium-sized.

Q. Miss Coulter, did you ever complain or report to Mrs. Hope, who,

believe, has charge of the female department, of the treatment that the patients received?

A. I very often complained to her.

Q. Well, now, narrate, as near as you can recollect, the conversation that occurred between you and Miss Hope when you made these reports to her.

A. Well, I thought I was treated rather inhumanly myself by the girls in the ward.

Q. In what way, Miss Coulter—how were you treated?

A. Well, they thought I was a greenhorn, I presume, and never had been in an asylum, and didn't know what matters were, and Miss Hope would tell me to do one thing, and they would tell me to do another, and try to have me do their work—work they ought to do when Miss Hope was expecting me in another part of the house. They would scarcely treat me decently. At that time I had no keys to my room, and sometimes I could have their keys to lock my door at night, and sometimes I could not have them, or very seldom. For a month, I guess, they wouldn't speak to me in a respectable manner, because I was in sympathy with the patients. I often remonstrated with them, and of course that made them worse. They would call me "baby," "chicken-hearted," and "cry-baby," and were constantly reporting me to Miss Hope, because, as they said, I made the patients a great deal harder to manage, because I was in sympathy with the patients; and then, when I would tell Miss Hope of the cruelty to the patients, she said that I would have to, before I would make a successful attendant in an insane asylum—I would have to get a great deal harder-hearted—or babyishness, as she called it—my chicken-heartedness.

Q. Did she intimate, Miss Coulter, when you were complaining of the harsh treatment of the patients, that she would see that it was stopped?

A. She never said she would see that it was stopped, she said once or twice she would see the girls—; she said she didn't want to complain to Dr. Reed, for she didn't know whether I was telling the truth or Miss Alexander was telling the truth.

Q. Was that the language she used?

A. Yes, sir; she said Miss Alexander was a very good hall-girl, kept the patients in subjection, and didn't want her discharged, and advised me to say nothing about these things, and particularly when I wrote letters to be very careful what I wrote home or wrote outside of the institution, for, she said, it might be found out and cause me trouble. She said there had been one lady discharged for writing home things that occurred in the institution, and when I left she also advised me that if ever I engaged in an insane asylum, to keep my mouth closed of what I would see there.

Q. Did you receive any instructions from the officials when you first went there not to disclose anything?

A. No, sir.

Q. They didn't say anything?

A. No, sir.

Q. In the conversation you had with Miss Hope, in reference to the misuse and maltreatment of patients, did that occur more than once?

A. My talk with Miss Hope?

Q. Yes, ma'am.

A. Yes, sir.

Q. How often?

A. Well, every time I would see her—two or three times a week.

Q. State again how you happened to be discharged.

A. I told Miss Clemens we had no communication with Dr. Reed in regard to such matters ; I sent word to Dr. Reed —

Q. Who is Miss Clemens ?

A. Miss Clemens ? She is the store-keeper ; I told Miss Clemens to tell Dr. Reed that if he didn't stop the abuse of Mrs. Mitchell I would send word to her husband and her mother to have her taken out ; I knew they would not allow her to stay there if they knew of it ; Miss Hope came the next day and wanted to know, she said she had heard I had said such and such things, if they were true, and asked me if I had made such a remark ; I said I had, and I would say right there for her benefit that I would rather follow a friend of mine to the grave than to see them taken to Dixmont. Of course this was taken to Dr. Reed, and they sent me word that they didn't need me any longer.

Q. Who paid you when you left ?

A. The clerk—the cashier.

Q. Did they retain any portion of your salary ?

A. No, sir ; not when you are discharged.

Q. What kind of compensation did you receive as attendant ?

A. As surplus the first six months you receive fourteen dollars a month, and for the first six months the attendants receive fourteen dollars a month.

Q. What you received and the attendants received was just the same ?

A. Yes, sir.

By Mr. McKenna :

Q. Did you ever strike any of the patients with the keys or strap ?

A. No, sir.

Q. Did you ever refuse to bring them water when they asked you to bring them water ?

A. Not when I had my own keys.

Q. Did you get up at any time, frequently, or did you ever get up at night for the purpose of answering a call from them ?

A. Yes, sir.

Q. Frequently ?

A. Not often ; I have, I presume, a half a dozen times.

Q. Then it was possible for them to make themselves heard at night and be responded to by the attendant ?

A. Yes, sir.

Q. It was possible you say ?

A. Yes, sir.

By Senator Hart :

Q. How many wards were you in in the asylum ?

A. Do you mean how many wards I was stationed in ?

Q. Yes, ma'am.

A. Just one.

Q. What is the number of that ?

A. The tenth ward.

Q. What is the number of the ward the most violent patients are found in ?

A. The fourth, eighth, and tenth—they are called the worst wards.

Q. Is there any distinct class of patients contained in these three wards, you have named, or were they all about the same character ?

A. The patients in the fourth ward were more violent than the patients in the tenth.

Q. Or the eighth ?

A. Rather worse than the eighth. The fourth ward is far the worst ward.

Cross-examination :

Q. Miss Coulter, did you get in the employment of Dixmont hospital at the same time your sister-in-law did ?

A. Yes, sir.

Q. You both went together ?

A. Yes, sir.

Q. You were living in Ohio at that time ?

A. Yes, sir.

Q. You both became what—became surplus ?

A. Yes, sir.

Q. Did you go into the same ward ?

A. No, sir.

Q. You went into the tenth ward ?

A. Yes, sir.

Q. She went in the ninth ward ?

A. Yes, sir.

Q. Did the surplus girls have access to the other wards, or were there a surplus number of girls for each ward ?

A. Yes, sir.

Q. What are the surplus girls kept there for ? What do they actually do ? What are their duties ?

A. Well, do anything that is required of them. They are usually kept sewing, except when there is a vacancy—any of the girls are out of their ward they take the place of them.

Q. During the time you occupied the position of surplus, before you were advanced to the position of attendant, how long a period was that ? How long were you there before you became a regular attendant ?

A. I was never a regular attendant.

Q. At no time ?

A. At no time.

Q. How long were you there altogether ?

A. I went to Dixmont the second of November, in the year 1881, and left on the second day of March, 1882.

Q. Your sister-in-law left at the same time ?

A. Yes, sir.

Q. You both left together ?

A. Yes, sir.

Q. You were discharged, and your sister-in-law claims to have resigned.

A. Yes, sir.

Q. Miss Coulter, if you were so distressed, and treated so badly, and felt so badly, when there, why did you not resign ?

A. I went there to stay six months, and I expected—intended to stay if possible.

Q. Even if you were starved ?

A. I did not propose to be starved.

Q. You said you often experienced hunger there yourself.

A. I did often experience hunger, and I very often bought a great deal of food to eat.

Q. On this occasion you suffered some hunger—you had not laid in a supply of purchases ?

A. No, sir ; sometimes ran out.

Q. Were you assigned more duties, as a surplus girl, than the other surplus girls were ?

A. No, sir.

Q. Who, in the tenth ward, was immediately over the surplus girls? Who had charge of them?

A. Miss Hope had charge of the surplus girls.

Q. Miss Hope, I understand, was the general superintendent of the female department?

A. Yes, sir.

Q. Head matron?

A. Yes, sir.

Q. Who was the immediate supervisor? Who had immediate control of you in the ward?

A. Miss Alexander was.

Q. She was next in authority, was she?

A. She was head hall-girl. I never felt I was under her.

Q. Had you any experience in what they called dining-room-girl?

A. I had for one week.

Q. You received your orders from Mrs. Alexander, as your immediate supervisor?

A. No, sir; from Miss Hope, as soon as I knew that I was not under Miss Alexander. Miss Alexander tried to make me understand when I went there that she had authority; but I soon found out she hadn't.

Q. How long were you there when you got that understanding?

A. Not very long.

Q. A week or so?

A. A week, perhaps.

Q. At the end of a week you denied the authority of Miss Alexander, and got your instructions direct from Miss Hope?

A. Yes, sir.

Q. Had you no difficulty after that with Miss Alexander—had she attempted to direct you or give you any orders after that?

A. She did once, as long as I staid in the ward.

Q. Did you submit to them?

A. Sometimes I did—sometimes I didn't.

Q. Do I understand you that according to discipline she had no right to direct you or order you at all?

A. No, sir; she had no right. Miss Hope told me—

Q. You so regarded that?

A. I so regarded that she had no right to order me.

Q. You sometimes resisted her orders and disobeyed them?

A. I did not always do what she told me.

Q. I suppose the reason that you didn't, that you denied her authority?

A. Miss Hope told me to go by her instructions.

Q. Then the reason you did not obey Miss Alexander was because you didn't recognize her authority to direct you?

A. Yes, sir.

Q. Had you frequent discussions with her on the subject—with Miss Alexander?

A. I very seldom had.

Q. Did she merely order you, and you deny her authority?

A. She very frequently ordered me.

Q. Did that continue until you were discharged?

A. The last month not quite so much as the three previous months.

Q. Was it not the cause of Miss Alexander herself complaining against you, and your refusal to obey orders, instead of calling you chicken-hearted—babyish—as you have testified?

A. No, sir.

Q. You say it was not?

A. No, sir.

Q. You specified here, Miss Coulter—I think I have the names of all that you have named—Miss Mitchell, Miss Norcross, Katie Fondelier, Miss Laidley, of Erie; were they all you can think of that you saw treated in a manner that you regarded as cruel?

A. No, sir.

Q. Did you name any other in your examination here, except Miss Mitchell, Miss Norcross, Katie Fondelier, and Miss Laidley, of Erie—these five?

A. Yes, sir; Miss Diamond and others.

Q. Were all the other persons you mentioned, except Miss Mitchell, in the same ward?

A. Yes, sir.

Q. That you were in?

A. Yes, sir.

Q. Was Miss Mitchell in your ward?

A. No, sir.

Q. She was in what ward?

A. Ninth.

Q. What kind of patients are in ward nine?

A. How many?

Q. What is their degree of insanity—the worst cases?

A. In the ninth ward?

A. What is the difference between the ninth and tenth wards?

A. The tenth ward was called a degree or two the worst, and more violent patients than the ninth.

Q. You mentioned here and acknowledged some cases yourself of taking part in abusing some patient—what was the name of that one?

A. Miss Norcross.

Q. Just tell us what you did.

A. Well, I was “sleeving” her. She refused to allow me, and I caught her by the arm and shook her until—I did not knock her feet from under her—she laid on the floor. I did not hurt her in any way.

Q. When it was necessary, you did it without any intention to injure her?

A. I didn’t do it to injure her. She said I should not “sleeve” her, and I had to do it.

Q. I will ask you now, in these numerous cases of sleeving that you have described, were they not all necessarily forcible?

A. They were not necessarily forcible at all times; sometimes they were, but then it could be done in a different manner. There is such a thing as being brutal, and such a thing as being firm, or compelling patients being sleeved, and not using them brutally while sleeving them.

Q. This lady you had to shove down on the floor; could you have put on that sleeve without doing that?

A. Well, I could not put the sleeve on at all, and I called for help; she would hold still.

Q. She resisted you violently?

A. She resisted, and would take one arm out as soon as I attempted to put the other in.

Q. You really have not answered my question; I want to know if it is not the rule, that all patients resist putting on these jackets?

A. I said they do, sometimes; not always.

Q. Isn't that because of their violence, or to prevent violence, that the sleeves are put on?

A. To prevent violence.

Q. Yes; either their violence at the time, or to prevent violence is the object?

A. They are suicidal patients.

Q. Why do they put the strait-jacket on?

A. Why, in order to prevent violence to themselves and to other patients.

Q. If they are not suicidal patients, and are not contemplating violence, they are not put on?

A. If they lay quietly in bed; sometimes they tear up part of the clothing, and have to be sleeved to keep them from doing that.

Q. Did you ever help to sleeve or put the jacket on more than one person?

A. Yes, sir.

Q. Did you ever receive any instruction as to what was to be done, from anybody?

A. Yes, sir.

Q. Don't you know what instructions were given to the attendants, and didn't you receive instructions yourself, that in putting on these jackets, or in tying the knots—when the kind requiring to be tied up was used and fastened—was in the standing instruction to put the knot on the side of the patient under the arm?

A. No, sir.

Q. When they are put in bed?

A. No, sir.

Q. You don't answer my meaning; whether you had any instructions as to how that was to be done or not?

A. Miss Hope said they were to be tied, but there was no way for them to be tied.

Q. Were there jackets that need not be tied?

A. There were loose jackets, short sleeve jackets.

Q. Can you say why the knot was tied behind?

A. I never could see any reason but for cruelty, that the knot should be tied behind; I thought it might just as well be tied on the side.

Q. By cruelty you mean punishment?

A. Punishment.

Q. It is located at a very tender part of the back?

A. The sleeves are tied directly behind.

Q. That is the knot?

A. Yes, sir.

Q. Did you use that word "cruelty" synonymous with "punishment?"

A. I did not say it was done as a punishment. You asked me why, and I said I did not see any reason except cruelty.

Q. I asked you if that cruelty was inflicted as a punishment upon the patient?

A. I don't know as it is always. I know that it has been in this Norcross case, when she begged to have the knot taken from there.

Q. Is not Miss Norcross very violent?

A. She resisted; never struck anybody.

Q. She had a tendency to injure herself?

A. Yes, sir; but she would not injure anybody else.

Q. Did you know enough of the institution during the period you were

there, to know whether it was not a common thing for other patients to unloose these knots if they were tied insecurely?

A. No; the patients were locked in their rooms. Miss Noreross always slept alone.

Q. Suppose these other persons in the ward—

A. Well, they would not have the privilege of Miss Noreross' private room.

Q. I don't mean the ones in bed or the ones that have mufflers on—those not in bed who can walk around with the strait-jacket on?

A. Yes, sir; they can walk around with the strait-jacket.

Q. They do sometimes?

A. Yes, sir.

Q. Now, have not patients been known to untie the knots?

A. They have been known to, but the attendants are expected to keep watch.

Q. How long were you there when you thought you were inhumanly treated by these girls?

A. One day.

Q. The first day?

A. Yes, sir.

Q. You did not specify the girls. Who were the persons who treated you inhumanly? Who were they? Was Miss Alexander one?

A. Miss Alexander.

Q. Who else?

A. Miss Coleman didn't treat me badly the second day I was there.

Q. You said the girls; who did you mean?

A. I said I was badly treated by the girls. I meant Miss Coleman and Miss Alexander. You asked me how long I had been there before I was badly treated, and I said one day; by Miss Alexander.

Q. Then Miss Coleman—afterward—did she inflict improper treatment upon you?

A. They did not sleeve me nor strike me, but with their tongues they did treat me cruelly.

Q. Did you ever speak to Dr. Hutehison, who passes through the ward, about any of these sights that you saw?

A. No, sir.

Q. You stood by and witnessed Miss Laidley, of Erie, being shook around—is that true?

A. Yes, sir.

Q. Who did that?

A. Miss Coleman and Miss Alexander.

Q. Did you report that to anybody?

A. Miss Hope saw it.

Q. What was the matter with Miss Laidley? What was her form of insanity—melancholia?

A. They called it Russian; I never saw any signs of insanity about her.

Q. Where was that dark room they kept Katie Fondelier in—where was that—what part of the building was that in?

A. It was in the lower part of the ward, the right hand side, near the bath-room.

Q. Was it an ordinary room darkened, or a special room set apart for punishment?

A. I should call it an ordinary room. It was the only room in our ward that had shutters or blinds inside; that was the only difference.

Q. Could the shutters be opened on the inside?

A. They could be ; they never were while Katie was there.

Q. Why ?

A. She was ordered to be kept in a dark room, and the room darkened.

Q. Who ordered that ?

A. Dr. Reed.

Q. Did you hear him order it ?

A. I did not hear him order it.

Q. Whom did you receive that information from ?

A. Miss Alexander.

Q. And Dr. Reed ordered it to Miss Hope that this lady should be kept in a dark room ?

A. I did not hear Dr. Reed order Katie to be kept in a dark room, but I heard him say if she didn't want to go back to the dark room—I said I didn't hear Dr. Reed order Katie to be kept in a dark room, but I heard him tell her if she didn't want to be kept in the dark room longer than she had been, then she must not run off again.

Q. Were you in the ward, and heard Dr. Reed say that ?

A. I heard Dr. Reed say that to Katie Fondelier in the ward.

Q. She had escaped twice ?

A. Yes, sir.

Q. Were you there when she escaped ?

A. No, sir.

Q. What was her form of insanity ?

A. I never saw any insanity about her until the week she died, when she was taken sick.

Q. Did you see much of her ?

A. I did not see her very much while I was there ; I didn't see her the first week.

Q. She didn't escape any time while you was there ; she hadn't escaped from the institution while you was there ?

A. No, sir.

Q. Do you know anything about Katie Fondelier writing notes to patients, and things of that kind ?

A. I never saw her.

Q. You stated you received no instructions when you were employed there not to disclose anything ?

A. No, sir.

Q. When you were employed there, who gave you your instructions as to how to conduct yourself as an attendant ?

A. Doctor and Mrs. Reed and Miss Hope.

Q. Will you say what these general instructions were about your duties ; whom you were to obey, and what orders were you to observe ?

A. Well, yes ; we were to be very firm with the patients, but not to use them violently, not to strike them, or lay hands on them, and not to speak to gentlemen ; I believe those were the instructions. The other instructions we were to receive from Miss Hope.

Q. There is no communication any way between the male department and the female department ; the wards are all separate departments ?

A. The wards are all separate departments.

Q. Were there no male attendants in the female wards ?

A. No, sir.

Q. The only male attendant and official there is Doctor Hutchinson ?

A. Doctor Hutchinson.

By Major Walker :

Q. Were the instructions not to speak to Doctor Hutchinson ?

A. They said, "No gentleman whatever;" I don't know——

By Mr. McKenna:

Q. Did you say you had no instructions to speak to Doctor Hutchinson; were not physicians an exception to the general rule?

A. They made no exceptions whatever.

Q. Were you there when this Katie Fondelier died?

A. Yes, sir.

Q. Do you know whether a post mortem was held upon her remains in the institution?

A. Yes, sir.

Q. Do you know who held it?

A. I didn't see it held; it was held in the institution, I presume.

Q. You have told all, I suppose, Miss Coulter, that you can recollect of about Dixmont?

The witness made no reply to this question.

Q. Considering the reception that Miss Alexander and the attendants gave you there, and the fact that you were discharged, would your feelings be kind or unkind toward Dixmont?

A. As for myself, I had no unkind feeling, I didn't cherish unkind feelings—I did feel badly the way and on account of the patients, the way the patients were treated; I tried to forget it; it was hard to think of it, and I tried to forget all I could.

Q. Notwithstanding your feelings for the patients and the shortness of food, you say you didn't resign because you went there to stay originally six months?

A. I didn't resign.

By Mr. Graham:

Q. What month of the year did you go to the institution?

A. I went in November.

Q. You left when?

A. In March—the following spring.

Q. You stated here in your testimony-in-chief that, as a general thing, or usually, the meats that were furnished you were tainted; if that was so——

A. I said every now and then.

Q. You stated usually. That seems strange during the winter months; what was the cause of it?

A. I don't know how it happened. I only know the girls pronounced the meat tainted.

By Chairman McCrum:

Q. You say you felt badly at the usage the patients received?

A. Very badly, indeed.

Q. That was the only reason why you wished to leave that institution?

A. It was one of the reasons. I determined to leave when my time was up.

By Mr. McKenna:

Q. Were you there under contract to stay six months?

A. I went to stay six months.

Q. I am asking whether you had a contract to stay six months?

A. Yes, sir.

Q. Who with?

A. Doctor Reed.

Q. Was it in writing?

A. Yes, sir.

Q. You say there was some disagreement in regard to not trusting you

with keys the first few days; you say you had no keys from the attendants?

A. I didn't say I was not intrusted with keys. I said I didn't have keys.

Q. How long was it before you got keys?

A. I think I was there six weeks before I got keys.

Q. How many keys did you finally get?

A. Two.

Q. Is that the same number that all the attendants got?

A. No, sir. The hall-girl has ten or twelve. She has quite a number, and the dining-room-girl has three.

Q. What are the sizes of those keys?

A. Well, different sizes.

Q. State if they had any other keys than these that opened the doors between the wards.

A. Yes, sir; they have other keys. Keys for the different rooms. Also, different wards.

Q. What is the size of a key for an ordinary room where a patient is kept?

A. Well, that long [describing] I should think.

Q. You had two of them?

A. I had one small key, and one of these keys.

Q. What were those keys for?

A. To unlock the doors in the different wards and different rooms of my end.

Q. Do you know whether the wards are all locked and unlocked by the same keys—there is the same set of locks?

A. Yes, sir.

Q. One key will answer for all?

A. Yes, sir.

Q. Don't they also unlock the doors of the rooms where the insane are?

A. Yes, sir.

Q. And the attendants' room door, too?

A. Yes, sir.

Q. So that one key, in point of fact, will unlock any door between the wards, or any of the attendants' rooms doors, or any of the doors in the patients' rooms?

A. Yes, sir.

Q. And the clothing-room door, too?

A. Yes, sir.

Q. Isn't the system, so far as you know, that one key unlocks every door?

A. Yes, sir.

Q. A person having a key can go into any room, or any of the wards, bath-room, or the clothing-room?

A. Yes, sir.

Q. One key is all that is necessary?

A. Yes, sir; except one door entering to the center of the building; that is locked with a double lock.

Q. That is the only exception?

A. That is the only exception.

On motion of Major Walker, adjourned to meet at Dixmont, at four o'clock, P. M., of this day, to wit, February 27, 1883.

And now, to wit, February 27, 1883, at four o'clock, P. M., parties met pursuant to adjournment of this day at Dixmont.

Present, Hon. J. J. McCrum, chairman; Senators McNeill and Hart; Representatives Graham and Walker. C. F. McKenna, Esq., of counsel for respondent and witnesses, and the hearing of testimony proceeds.

Major Walker moved that Dr. Reed be requested to give, for the information of the committee, a succinct and detailed statement of the institution known as Dixmont Asylum, from its origin up to the present time in as practicable a way as possible, which statement shall be made part of the report of this committee, which motion was duly seconded by Mr. Graham, and on the motion being put by the chairman was unanimously carried.

Doctor, you have heard the motion. Will you please give in detail the history of this institution from its first organization or origin up to the present time?

A. The Western Pennsylvania Hospital was incorporated by the act of Assembly, approved the 18th of March, 1848, and the object of the institution was to take care of the insane and afflicted, as well as the sick, helpless, and infirm. Those are the terms of the act. It was a public corporation, as I understand it. I believe it was not a State corporation.

By Chairman McCrum:

Q. What was the foundation of the institution?

A. The act of the 18th of March, 1848, as follows: "Whereas, a number of citizens of this Commonwealth, actuated by a sense of religious duty, and the benevolent disposition to extend aid, comfort, and relief to indigent and afflicted humanity, have made large voluntary contributions, in money and real estate, with a view to the foundation and endowment of a public hospital, to be appropriated for the reception and care of the insane and afflicted, as well as the sick, helpless, and infirm, and the contributors, having formed themselves into an association for the above object, have now, by the petition of their board of managers to the Senate and House of Representatives, prayed for the passage of an act of incorporation."

The original building of the hospital was situated in the Twelfth ward, of the city of Pittsburgh, and erected entirely by private donations; and it is now known as the Western Pennsylvania Hospital. The act incorporating the association says: "That the present managers, elected by the contributors, together with their president, vice president, and other members and contributors to the above-mentioned charitable association, be, and they are hereby, made and constituted a body politic and corporate, in law and fact, under the name, style, and title of 'The Western Pennsylvania Hospital,' and shall have and enjoy all the rights, powers, and privileges incident by law to a corporation, for the purpose of establishing, maintaining, and managing an hospital for the reception and care of the insane and afflicted, as well as the sick, infirm, and helpless."

The starting-point was the erection of the old building of the Twelfth ward, in the city of Pittsburgh, which was erected from the contributions of benevolent gentlemen, and the intention originally was to erect it as a hospital for the insane, but they found, during the cholera epidemic, that there was more necessity for a hospital for the sick and afflicted than the insane, and they diverted the money to that object with an addition or wing for the insane, and it was opened in this manner. It was opened by a large and voluntary contributions from benevolent citizens of this commonwealth, who were actuated by a sense of religious duty, and with the benevolent disposition to extend aid, comfort, and relief to the indigent and afflicted.

After the building was erected they found that it was not in demand for a hospital for the sick. They fitted it and kept it open for several years as a hospital for the sick and afflicted. Without data I cannot give you the exact number of years. A number of insane persons were admitted to the insane department attached to the hospital, and finally they concluded that it was more needed for the use of the insane than for the sick and afflicted. The result was, they were asked by Judge Wilkins, who was then in the Legislature, some time prior to 1856, an appropriation to alter the building so as to make it suitable for the insane, and obtained an appropriation of \$25,000. This was the first appropriation given by the Legislature to the Western Pennsylvania Hospital, and at the next session of the Legislature they obtained \$15,000 more, and other small appropriations in each year until the amount reached \$50,000, which was given unconditionally for the erection of the building in the Twelfth ward. By this time they had some experience in taking care of the insane surrounded by machine shops, railroads, coke-ovens, and buildings, and they concluded it was unwise to spend the State's money for the erection of a building at that point for the care of the insane. Then what follows occurred very much as is stated in the reports of the Board of Public Charities of Pennsylvania of 1870, on page 86, paragraph two, which I now read: [Doctor Reed read from the book mentioned, starting at paragraph two to the words, "extending its bountiful hands to give succor and protection to a hospital to which it was confided for caring and curing the most afflicted class of its citizens."]

From the passage of the act approved May 18, 1855, we come first in connection with the State. I may mention here a fact that is not stated in this report; the managers conferred with Governor Pollock, who was in the office at the time, in regard to making this hospital an insane hospital for the Western judicial district, and the Governor, in his message to the Legislature, suggested them either to accept this hospital as the insane hospital for the Western judicial district, or at once erect for that purpose a building. The Legislature accepted this proposition, to convert the old building in the twelfth ward into an insane hospital, and appropriated \$25,000 for that purpose. As stated here, [here the Doctor read on page eighty-seven of the Pennsylvania reports on the Board of Public Charities commencing at the words, "a further supplement to the charter was approved the 19th of March, 1856," and ending with the words, "a certified statement of the condition of affairs."]

The board of managers have the management of the Western Pennsylvania Hospital. They are appointed by the contributors to the institution. A contributor is one who has contributed twenty-five dollars or upward, and any one giving one thousand dollars was thereby constituted a life manager. Those who had contributed twenty-five dollars, had a vote as to the election of the other managers, and were also eligible to be managers. The power that the contributors have is to vote at the election of the managers. The managers have the entire control of the hospital. They appoint all the officers; fix their salaries and have the general management of it. The hospital receives all patients who are sent by order of court, or one of the directors or overseers of the poor, and private patients who are admitted according to the act of 1869, on the certificate of two physicians that they have seen and examined the patients within one week, and that has to be sworn to before a notary public or justice of the peace. The hospital recognizes no difference in the status of the patients, whether they are public or private patients.

The managers of the hospital after coming to the conclusion that it was

unwise to proceed with the erection of an insane hospital in the twelfth ward, they retained the various appropriations they had received until they amounted to the sum of \$59,000. On the application of Miss Dix, the Legislature made an additional appropriation of \$50,000, giving the board \$100,000 which justified them in beginning the erection of such a hospital as is at Dixmont. The erection of the building of the hospital at Dixmont was commenced somewhere about 1859. The corner-stone was laid on the 12th of July of that year. The managers purchased at Dixmont about three hundred acres of land, and since that have purchased seventy-eight acres more, making three hundred and seventy-eight acres in all. The \$100,000 appropriated by the Legislature was not appropriated to the purchase of the land; that was purchased by the donations of benevolent gentlemen, a large part of which was given by Charles Brewer and Charles Avery. The \$100,000 we had intact to commence the erection of Dixmont Hospital.

Since the commencement of the erection of Dixmont Hospital, in 1859, the State has continued to make appropriations. At the time of the laying of the corner-stone, the managers had received only \$100,000 from the State, which they had intact. The land on which the hospital is erected was bought from money contributed by private individuals. The money so contributed by individuals went to the purchase of the land entirely, and, from 1859 on, I presume there has been an appropriation made by the Legislature every year. I know this, that the Legislature continued making appropriations every year on the estimate of the building, until the building was completed as it now stands.

At the completion of the building and all the out-buildings, the State had appropriated about \$550,000; that was up to the time of finishing the building in 1862, some twenty years ago. I cannot give the exact amount received from the State without reference to the treasurer's report, who lives in Pittsburgh. In my opinion, the State has given up to the present time, for all purposes, running expenses of the institution or support of patients, and the erection of the building, about \$1,000,000 since the first appropriation. That is simply a rough calculation. Last year we received from the State, October 12, 1881, \$7,750; February 24, 1882, \$7,500; March 16, 1882, \$750, and March 16, 1882, \$7,500; in all, \$23,500.

In estimating the value of the real estate belonging to the Western Pennsylvania Hospital, the president, John Harper, Esq., applied to two intelligent gentlemen of high character, who reside near the premises, and the following is the result of their examination: The Dixmont Hospital property, at Dixmont, on which is erected a hospital for the insane, without the building, is valued at \$500 per acre, or \$175,000, and without doubt the property would yield \$250,000 if the same was laid out in lots and offered for sale. We bought this land at a great deal less rate. My recollection is that one half of the original three hundred acres purchased, on which this building stands, was bought from Baekhouse at \$78 per acre, and, I think, the other half about \$90 per acre. Land has increased very much in value since the estimate made to John Harper, in 1870. We purchased this land at the rate I have given you—one hundred and fifty acres at about \$78 per acre, and one hundred and fifty acres at about \$90 per acre. Then we bought an additional forty-eight acres, adjoining the farm, from Mr. Gilliland, and paid for that \$300 an acre, and then we bought thirty acres more from Mr. McFarland, at \$300 per acre. The money for the purchase of these last seventy-eight acres was also derived from private donations from benevolent citizens of Pittsburgh and vicinity.

The first donation made by the Legislature to the hospital, while it was

still in the Twelfth ward, was given to the board to use as they might see proper in that building, in fitting it up, according to their judgment, for the use of the insane. That appropriation was not given conditional upon the erection of a building here in the country. But, when the second \$50,000 was applied for, that was on condition that the hospital should be erected here in the country.

I might also state that the board of managers elect the physician and superintendent. He appoints the assistant physicians, subject to the approval of the managers. All the other subordinates and employés of the institution are appointed by him, and may be discharged by him at will.

On motion of Major Walker, adjourned to meet on Wednesday, February 28, at nine o'clock; to meet in the office of Doctor Reed, at Dixmont Asylum.

And now, to wit, February 28, A. D. 1883, at nine o'clock, A. M., committee met pursuant to last adjournment, in the office of Doctor Reed, at Dixmont.

Present: Chairman McCrum, Senators Hart and McNeill, Representatives Graham and Walker, C. F. McKenna, counsel for respondent, and witnesses; and the hearing of testimony proceeds.

Doctor J. A. REED, a witness called by the committee, who, being first duly sworn, testified as follows:

By Major Walker:

Q. Are you the superintendent or the general manager of Dixmont Hospital, or what is your official title?

A. My title is physician-in-chief and superintendent for the hospital of the insane, at Dixmont.

Q. How long have you been connected with this institution?

A. Since 1856, going on twenty-seven years.

Q. Have you, during all that time of your connection with the institution, been its general manager?

A. I have been its superintendent and physician-in-chief. I use the term "superintendent" mostly, because the board are called managers; I do not call myself the general manager, because they are the managers.

Q. Doctor, is there any difference between physician-in-chief and general manager, as you mentioned?

A. Yes, sir; one implies medical man, and the other implies a superintendency and control of all business matters connected with the hospital.

Q. If you will be kind enough, Doctor, to explain what the duties of the physician-in-chief and general manager of the institution are, the difference between the two, and what the special duties of each are?

A. The duties of the superintendent are to look after all business affairs of the institution, and that of the physician-in-chief is to look after the medical duties pertaining to the patients.

Q. Doctor, what is included in your duties as general manager? You say, looking after the general business of the institution. What does that include?

A. That includes the purchase of supplies; the employment of persons in the various departments of the institution, see that they perform their duties properly; and to receive moneys and transfer the same to the treasurer; to receive patients, see that they are properly treated, and various duties of that kind.

Q. All the supplies, as I understand you, that are purchased by the institution, are done by you?

A. They are done by me or by my orders.

Q. Those are, then, your general duties?

A. I am aided in those duties by the executive committee of the board of managers.

Q. What I want to get at, sir, is, if you have absolute authority?

A. To purchase?

Q. Yes, sir.

A. Subject to the control of the executive committee; I am subject to them in every business matter.

Q. In making your purchases of whatever you contemplate making, are you obliged, or do you consider it to be your duty, to refer to the board of managers what you purpose buying, and what for?

A. If it is anything out of the usual order of a purchase, I have to submit it to them.

Q. What is out of the usual order—what would be unusual?

A. Well, any improvement that has to be made; or if I was to buy a couple of car loads of flour at one time, I would consult with the executive committee; if I would contract for coal, I would consult with the executive committee; but if I was to buy ten or twenty barrels of flour, it is understood by the committee I could purchase that; anything that is a necessary supply, I can purchase; any extraordinary supply is purchased by the order of the committee; or any improvement that has to be made, or any extraordinary repairs that are to be made, is done by the order of the executive committee.

Q. Doctor, how many constitute the executive committee of the board of managers?

A. We have nine at present; they changed the number; there was one added during the present year; there are nine at present.

Q. What constitute a quorum of the executive committee?

A. Three.

Q. Three out of nine is a quorum?

A. Yes, sir; and has been all along.

Q. Have they any person to whom they have delegated the right to you to confer with that committee and make contracts?

A. Not that I know of.

Q. When you confer with the executive committee how many do you consult?

A. Three or more.

Q. You never make any contracts unless you have the consent of three?

A. Yes, sir; they audit all the accounts once a month. They draw all checks, and those checks must be signed—

Q. That is not the question. I asked for the contemplated purchase of supplies.

A. My answer is correct.

Q. You have the consent of three or more to make the purchase?

A. For any of those extraordinary purchases I have alluded to.

Q. Where does this executive committee reside?

A. They reside in the city of Pittsburgh, and one of them resides in New Brighton; all the others reside in the city of Pittsburgh.

Q. In the general superintendency as general manager—understand now, I am not asking any questions as to your duties as a physician, but as a general manager of the business affairs of the institution—I understand

you to say that you have general control of the entire building and its appurtenances, accounts, and everything else?

A. Yes, sir.

Q. Be kind enough to state to the committee how many acres of ground there are——

A. I have the entire control, subject to the orders of the executive committee; that has been stated before.

Q. How many acres of ground are there attached to the hospital building?

A. Between three hundred and seventy and three hundred and eighty acres.

Q. What disposition, if any, is made of this large body of land?

A. It is farmed and cultivated for the use of the hospital.

Q. Have you any knowledge of how many acres of the three hundred and eight acres are tilled?

A. No, sir; we have never measured it. I presume the farmer can give you that information.

Q. Is the property attached to the institution here exempt from taxation?

A. It is; but the employés are not.

Q. Just the land?

A. Yes, sir.

Q. Have you any other special privileges——

A. Has the hospital?

Q. Yes, sir.

A. Not that I know of.

Q. Except the question of taxation, from which you are exempt?

A. Yes, sir.

Q. Are you exempt from all species of taxation?

A. Yes, sir; exempted by the charter from all taxation. We have one other privilege, that is, no road, highway, or lane whatever, can be made through the property.

Q. What interest has the State in the general management of the affairs of the institution?

A. The State has—is represented by three managers, who are appointed by the Governor, annually, and have the privilege of committing all the insane poor of twenty-three counties to this institution.

Q. That is, those comprised in the Western judicial district?

A. In the Western judicial district—twenty-three counties—of course, ten counties have been taken from us, and they can be committed to Warren county; but the act says, "The Western judicial district of Pennsylvania."

By Senator Hart:

Q. And names the counties, does it not?

A. Yes, sir; the counties are named—the counties were named.

By Major Walker:

Q. You desire to be understood, when you refer to the judicial district of Pennsylvania, as it was at the time of the incorporation?

A. Yes, sir; as it was at the time of the incorporation, and the counties are named in the act.

Q. Doctor, state to the committee where you receive your authority for your powers as a general superintendent.

A. Receive it from the board of managers of the house here—from the board of managers—from the executive committee.

Q. Doctor, state, generally, what are the powers delegated to you by the board of managers.

A. The duties that pertain to me as superintendent, and those which pertain to me as physician-in-chief.

Q. You have already stated you received them from the board of managers?

A. Yes, sir.

Q. State, in your own way, as clearly as you can, what these duties—what the board of managers require of you.

A. Well, I would have to read the rules; I prefer to read the rules just as they are.

Q. You are physician-in-chief and also general superintendent—these are two different branches. I will ask you first in reference to your duties as general superintendent; in a general way, what powers are delegated to you by the board of managers as general superintendent, without reading the rules there; you can just state them.

A. I am to exercise a general supervision and control of the household and have all persons who are employed on the premises—who reside upon the premises, and give my whole time to the interests of the institution.

Q. Doctor—the other branch—state what powers are delegated to you by the board of managers as physician-in-chief.

A. I am to have sole direction of the medical, moral, and dietetic treatment of the patients; my directions respecting them are to be obeyed by all persons in the establishment.

Q. Doctor, are you permitted by the authority delegated to you by the board of managers to appoint all of your subordinates?

A. Yes, sir; subject to the general instructions of the board:—"He shall determine what attendants and other assistants for the insane are necessary to be employed; he shall select and dismiss them at his pleasure. He shall determine their duties and arrange with them their rate of monthly wages. With the sanction of the executive committee, he shall, from time to time, make such regulations for the government of the attendants and all others engaged in any way about the patients, as he may deem necessary."

Q. I understand, then, Doctor, that you are permitted to employ subordinates with the sanction of the executive committee; have you any power delegated to you to employ subordinates without the sanction of the executive committee, and if so, you can answer that direct without reading it; or, I would ask whether any subordinates—physicians or other subordinates—are employed by you as the general manager without the sanction of the executive committee?

A. That is what the rule says.

Q. I will ask you whether you have employed any persons without consulting the executive committee.

A. Certainly I do; I employ any party that I approve of.

Q. I understand the rule to say that you must consult with the executive committee?

A. No, sir, no, sir; it just says the reverse. The number to be employed is determined by the executive committee, who are partly the board of managers; the executive committee have the power delegated to them by the general managers, and that executive committee, with myself, determines what number are to be employed; then after that is determined I have the power to select and dismiss them at my pleasure, and I am to determine their duties and arrange their rate of wages, and then, with the sanction of the committee, I make the rules and regulations for the government and control of them.

Q. Doctor, the subordinates that are employed by you—are they required to make any daily, weekly, or monthly, or quarterly reports to you?

A. It depends upon who are the subordinates; we have a farmer, engineer, carpenter, we have one hundred employés.

Q. How many physieians have you employed under you here?

A. I have two assistant physieians.

Q. What answer would you make to my question, in reference to those—how often do they report to you?

A. They report every time they think it is necessary; sometimes three or four times a day, sometimes every other day, just whenever it is necessary to make a report. We are in consultation frequently. We have no stated times for them to make a report; they report every time it is necessary, and not only *are* they to report so, but they *do* actually report.

Q. Doetor, are they to be the sole judges of when they are to report to you?

A. Well, it is presumed they will report what is proper; they are men of ability and experience.

Q. What I desire to know and to get at is, for the general public, have you any rules that require them to make reports to you—

By Senator Hart:

Q. Are they directed by you to do it?

A. Yes, sir, they are; when those rules were gotten up there was but one assistant, and they say “he shall have echarge of the shop, which he shall see is always kept in proper order, and shall prepare and attend the administrations of the medieine. He shall attend the regular physician in his regular visits, and shall also visit the patients each evening; shall earefully note their eondition and visit such as are under treatment as much oftener as may be necessary. He shall see that all the direCTIONS of thé physician are faithfully exeecuted, and shall promptly report all cases of neglect or abuse on the part of the attendants.”

Q. Your rules require him to report to you promptly?

A. Yes, sir; and in all eases they do.

By Chairman McCrum:

Q. Do they in faet?

A. Yes, sir.

By Major Walker:

Q. You have two physieians subordinate to you?

A. Yes, sir.

Q. How many patients have you at the present time in the institution?

A. Some few over five hundred; a large proportion of those are ehronic eases.

Q. How are the duties of the physieians divided as far as the physieians are concerned?

A. One assistant is for the male side, the other is for the side oecupied by the females.

Q. Do you require the physician to make an examination of the condition of the patients every morning?

A. They do do it.

By Chairman McCrum:

Q. Do you require it?

A. I require it, and it is part of the duty; the rules make it so.

By Major Walker:

Q. And do they keep a minute reecord of the examinations they make daily?

A. They do not ; I don't think it is necessary for them to do so ; in all important cases they do keep some record.

Q. In order to make your annual report Doctor, that you have made out so clearly and nicely—I never saw one before—the information that you received for making up your report from a medical standpoint, is it directly derived from reports made to you by your subordinate physicians ?

A. Well, you must bear in mind, sir, that a proper answer to that question covers a large space of ground.

Q. Can you answer that categorically ?

A. No, sir ; I cannot, because those tables embrace the histories of the patients that are given by the friends ; some of those tables are made up from other sources—well, almost all the tables are made up from the history of the patients given by the friends ; for instance, the first, the age, they give that ; the number of admissions each year, that we derive from the register ; the tables of nativity are from the same source. There is no table in this that is made up from any other source except the mortuary table and the burials, they are made up from the register. The mortuary tables are made up by the assistants and myself, the cause of their death, &c.; the balance of the tables are made from the other departments, the house-keeper, store-keeper, engineer, &c., &c.

Q. Just state to the committee whether or not the two physicians employed by the institution are paid a stated salary.

A. They are.

Q. Be kind enough, Doctor, to state to the committee what they are paid a year.

A. It is now a thousand dollars ; it was nine hundred, but the committee raised it to a thousand dollars a year a short time ago.

Q. They each receive the same ?

A. Yes, sir ; they each receive the same amount.

Q. State to the committee whether the physicians receive any other compensation other than their stated salary.

A. They receive their board, and washing and their keeping.

By Chairman McCrum :

Q. Make their home here ?

A. Yes, sir. They purchase their own clothes.

By Major Walker :

Q. Doctor, do they receive any other compensation ?

A. Not that I am aware of.

Q. Are there any perquisites, fees, or anything of that kind which the subordinates receive for any special attendance that they might give to private patients ?

A. No, sir ; if I knew of them receiving any such fees I would certainly have them discharged.

Q. You never discharged any physician for that, have you ?

A. No, sir ; I am happy to say I have not known of any physician to receive any such fees ; but they have been offered, and offered to me, but I am very safe in testifying that I have never received any.

Q. Would you be liable to know if your subordinate physicians did receive any extra compensation ?

A. Well, I presume they could receive it and keep the knowledge of it to themselves, but I would be very likely to hear of it.

Q. What is the special duty of the assistant physician ?

A. I read the rule.

Q. That was so far as you were concerned—I will ask you in reference

to Dr. Wylie, because he is the physician in charge of the male department, what is his special duty?

A. Well, it is his duty to visit wards occupied by the male patients twice a day, and as much oftener as may be necessary for the proper care and treatment of the patient; it is also his duty to put up the medicine that is needed for the patients that are under his care; it is his duty to see that the superintendent and the attendants of the wards perform all their duties properly, if they do not do so, to report the fact to me, and in case I am not on duty, in case of sickness or absence, he then has the power to discharge such attendant there, he being the eldest assistant in office, he is the acting superintendent during my ill health or absence.

Q. Doctor, during your absence Dr. Wylie would be the general manager and physician-in-charge?

A. Article six is. "He shall exercise the duties of the superintendent whenever the latter may be absent."

Q. We have no question about what the rules are; you have printed rules there, and your answer is that Dr. Wylie, in your absence, has the same power and authority that you have?

A. Yes, sir; he is the acting superintendent.

Q. Has he power to discharge employés?

A. Yes, sir; he has power to discharge, and has done so.

Q. And power to employ?

A. Yes, sir; and has done so.

Q. And power to make contracts the same as you have?

A. Yes, sir.

Q. The same powers that are delegated to you by the board of managers are delegated to him?

A. Delegated to him by the rules of the hospital.

Q. Has Dr. Wylie ever exercised that authority?

A. Yes, sir; he exercised it last spring while I was absent for a month and exercised it during my sickness, in a great measure.

Q. Has there been any time when both you and Dr. Wylie were absent?

A. Not that I can recollect of.

Q. Suppose such a state of facts should occur?

A. Then the next assistant would become the acting superintendent during that period.

Q. Is there any further provision made beyond that?

A. No, sir; the supposition is that three of us would not be absent at the same time.

Q. If such a thing should occur, there would be no head to the institution?

A. No, sir. It would take a long line of assistants to protect against every emergency.

Q. When you were absent last spring, Doctor, Dr. Wylie did act in your place?

A. Yes, sir; he was the acting superintendent, and was so recognized by the board.

Q. I will ask you whether there is any religious service held in the institution.

A. Yes, sir; you are aware of that fact by having been present.

Q. Doctor, are the patients, the inmates, required to attend religious services?

A. They are not required. No; it is optional with them.

Q. Just explain that, Doctor.

A. We don't require people to attend, if it is unpleasant for them to do

so. There is nothing sectarian about our services. Ministers of every denomination are invited to preach. We have no regular chaplain.

Q. You do not have denominational services?

A. No, sir; I would not permit it.

Q. What are the class of ministers that you usually have here, Doctor?

A. In the winter, during the sessions of the theological seminary, we have the young men who are on their last course there—the last session—to preach for us, because it is difficult to get older men to leave their pulpits. In the summer time we are able to get some of the older men to preach for us.

Q. They are generally men of recognized ability?

A. Yes, sir. Not always, but generally so.

Q. Doctor, do you permit all denominations to be represented here in your pulpit?

A. Yes, sir; permit any denomination to preach for us that wish to do so.

Q. Did you in your offer, as general superintendent, extend an invitation to the Catholic portion of our community to hold services?

A. Yes, sir; I have done so.

Q. Have they ever accepted the invitation?

A. They have not accepted the invitation, but they visit their own people whenever they choose to do so. We have people of all denominations among our patients, and I think it is a right that belongs to them to have ministers of their own denomination.

Q. How many classes of patients have you here in the institution?

A. You mean divided into wards—is that what you mean?

Q. No; I mean the character of the patients here that are admitted—say, by order of the court.

A. Do you mean in a medical point of view?

Q. No; I mean according to commitment.

A. We have those that are sent here by their friends and relatives, we have those who are sent here by order of court, and we have those who are sent by orders of the directors or overseers of the poor, and we have three or four who are charity patients.

Q. The order of court includes the State patients—the penitentiary, also?

A. Yes, sir.

Q. What do we understand, Doctor, by the charity patients?

A. We have one that was left here by the good people of Erie county, who was taken home to their poor-house, and run away from there, and returned to the hospital, and begged to be detained or kept here. He has been allowed to remain as a charity patient, without any charge to Erie county. He is useful to the institution in some small ways, such as carrying the mails from the station, lighting the gas-lamps, &c.

Q. You have some others who are the same?

A. We had two others; one of those died; three others.

Q. The expenses of those you denominate charity patients are borne by the institution?

A. Borne by the institution.

Q. Is there any limit to your authority so far as charity patients are concerned?

A. Not that I know of. I think the board of managers would receive as many charity patients as I saw proper.

Q. Of course, such small matters as receiving this old man from Erie county, they are not referred to the board?

A. Yes, sir; the man was not allowed to remain without its being referred to the action of the committee.

Q. Then your charity patients are here by the sanction of the executive-committee?

A. By the sanction of the executive committee.

Q. Doctor, we will take up the first class—those that are sent here by their friends. State to the committee the *modus operandi* or way in which they are received, and how received.

A. They are sent here according to the act of 1869, which provides that no patient shall be admitted to the hospital without a certificate that they have been recently examined—within one week from the date of their admission—by two physicians. Those certificates must be sworn to before some alderman or judicial officer, who must certify that he knows the physicians to be persons of good standing and qualified physicians; then the request must be furnished to us from some relative or friend. In addition to that, the hospital requires the friends to give a bond, securing the pay for the maintenance of the patient during his continuance in the institution, and the furnishment of all clothes, in case the physician and I may require it to be done, and the burial in case of death.

Q. Are they permitted at any time to remove the patient?

A. They have power under the bond and the rules to remove the patient at any time they see proper.

Q. What is the charge of the institution *per capita* for private patients?

A. It ranges from three, four, five, and six dollars; in very special cases, where they wish a special attendant, an extra charge is made.

Q. Explain to the committee why there are different grades for the private patients.

A. It depends upon the ability of the patient, or their friends, to pay. The object of the institution is to receive from the friends of the patient what will cover the actual cost of the support, but in many cases the relatives are not able to pay the actual cost, and a charity is extended by the institution to them, by charging a lower rate.

Q. Doctor, what is the actual cost?

A. The actual cost last year was \$4 82.

Q. Where they are not able to pay the \$4 82, they pay what proportion they can, and the institution pays the balance?

A. Pays the balance, or makes it up from some other source.

Q. What other source?

A. Articles sold off the premises, donations of wealthy and benevolent individuals, and the extra charge of the wealthy patients.

Q. How many private patients, if any, pay in excess?

A. Well, very few. I cannot give you just the number without looking over the books. There are some few; perhaps a half a dozen.

Q. What is the highest charge you make here in the institution for any private patient you have?

A. The general charge is \$5.

Q. I mean in special cases.

A. It depends altogether upon what they want. If they want one special attendant it is a certain sum, \$15 a week; two attendants, \$10 per week each; depends altogether upon what they want. For one room they pay a certain sum, for two so much more.

Q. Have you any private patient that pays—

A. We have one that pays \$20. He is the only one that pays over \$6 per week.

Q. How are the patients sent by the directors of the poor committed?

A. The legal relation of those patients to the hospital is very much the same as that of a private patient. They can be admitted only under the act of 1869, not without the certificate of a private physician, or order of the overseers of the poor bring them in to secure the payment of the—

Q. Then do you require of them the same as a private patient, a certificate?

A. Yes, sir.

Q. And that has to be certified to by an alderman?

A. Yes, sir; that is the law.

Q. Then upon your receiving an order from the directors of the poor, accompanied with the certificate, you receive them here as a patient?

A. Yes, sir.

Q. Is there any regulation as to the amount that the institution is to receive from the respective counties for these patients?

A. Yes, sir.

Q. What is that amount?

A. Three dollars a week and the clothing, whatever that may be. It was the act of April 11, 1867. It provides for a charge of three dollars per week, and for an extra charge of any clothing that may be furnished at the actual cost.

Q. Then all the clothing or supplies furnished to patients sent by the directors of the poor are furnished to them at cost?

A. At cost; yes, sir.

Q. Doctor, you still have another class that are committed by order of court?

A. Yes, sir.

Q. What is the rule for their commitment?

A. It is the duty of the court to investigate the question of insanity, and if they shall find that they are insane, the court issues an order committing them to the hospital.

Q. They are sent here, then, simply on the order of the court?

A. Of the court.

Q. What is the rule of the institution as to the amount that you are to receive from their respective counties for the maintenance of that class?

A. The same as the directors of the poor.

Q. Now, there is another class that is sent here from the penitentiary, is there not?

A. Yes, sir.

Q. Are the charges to the criminal insane the same as those that are sent by order of court?

A. Yes, sir; the act of Assembly provides that the charge shall be at the same rate.

Q. The patients that are sent here are supposed, generally, to be insane upon some subject or another, I presume?

A. Yes, sir.

Q. That is the general supposition that they are insane?

A. Yes, sir.

Q. Does it happen, after they have been under your treatment for some time, that they recover and are permitted—or their friends are—to take them away?

A. I am very happy to say they do sometimes recover, and their friends remove them.

Q. Doctor, how is that fact ascertained that they are sane?

A. By an examination of the patient, frequent examinations of the patient, frequent intercourse with patients by the assistants, attendants

and myself. It is determined in that way, and friends are advised of the fact.

Q. After you have made these continued examinations, and are satisfied as to the sanity of the patient, what course is pursued by the institution to notify the friends?

A. Correspond with them, write them letters, and conversation with them when they are on visits to the institution.

Q. Suppose they are committed by order of court?

A. Then I notify the court—the court that committed them—the Judge of the court who may be in session. If he is committed by the court of quarter sessions, I notify the judge of the court of quarter sessions, and if by the court of common pleas, I notify the judge, and he orders their discharge.

Q. And that order is the ground of discharge?

A. The ground of discharge. The order requires me to keep the patient until discharged by order of the court or one of the judges thereof.

Q. How would it be in the case of the overseers of the poor?

A. I notify the directors of the fact, and they come and remove them, or send some friend of the patient's to remove them.

Q. Your duties require you to notify the directors of the poor, just as you would a judge of the court of quarter sessions?

A. Yes, sir.

Q. And in case of private patients?

A. There is no difficulty at all, have their friends knowing about it.

Q. You notify their friends?

A. Yes, sir.

Q. How many attendants are employed in each ward?

A. The rule is to employ one attendant to every ten patients.

Q. How many wards have you?

A. Twenty-one wards; eleven for men and ten for women.

Q. Are they all occupied?

A. They are all occupied.

Q. You have attendants in each of these respective wards at this time?

A. Oh, yes.

Q. Doctor, what are the duties of the attendants?

A. Well, sir, I will have to present a copy of the rules . . . taking particular care of the patients, and obeying the orders of the superior officers and physicians in regard to their treatment.

Q. That covers it pretty well, except I would like you to state what you mean by taking care of the patients?

A. Well, do everything that is for the benefit of the patients, and which will promote their recovery.

Q. Do you require of the attendants that they shall devote their entire time while in the ward to looking after the patients, looking after every attention that is needed to the patient?

A. The rules require that of all attendants.

Q. Do they remain there all the time, day and night?

A. One attendant must be in every ward at all times; the ward is never left without an attendant for a minute; if I learned that such had been the case, both of the attendants would be discharged, but one attendant must be on duty in the ward every moment.

Q. And their duty is to give special attention to the comfort and well-being of the patients?

A. Yes, sir.

Q. Have they any other duties to perform?

A. No, none.

Q. State who those are which you term surplus.

A. Those not in actual service.

Q. How many attendants are there employed in the institution at the present time?

A. Well, sir, we generally have some surplus ones; without looking at my books—

Q. You have a full complement?

A. Yes, sir; several more than a full complement; we have over fifty nurses who do nothing but take care of the patients.

Q. Doctor, take one ward—suppose we take the ninth ward—how many attendants are there in that ward?

A. There are two regular attendants and one surplus attendant that we always have on hand; . . . a room in that ward, and is expected to assist the regular attendants whenever it may be necessary.

Q. Their duties are the same as in other wards—to give general care and attention to the patients; that is all the duty that involves upon them?

A. Yes, sir.

Q. Doctor, in policing that ward, taking that ward as illustration, and it is done admirably for cleanliness, in what way is that done?

A. The nurses are required to keep the ward in perfect order and perfect cleanliness. The attendants, I should say—to use the same word through—the attendants are required to keep the ward in perfect order and cleanliness, and responsible for it.

Q. In what way is the ward kept in so clean a condition as we found it to-day—how is it done?

A. By constant work of the attendants. The duties of the nurses are divided in this way: One of the nurses devotes her time to the dining-room and the other to the sleeping-rooms of the ward.

Q. Are they scrubbed?

A. Yes, sir; they are scrubbed.

Q. Would you explain in what way that is done?

A. Well, they scrub with water and brushes.

Q. They have to get down on the floor and scrub it?

A. They do, and on the stone work they use sand instead of soap.

Q. How often is it done?

A. Once a week, unless it is soiled, and then it is done immediately.

Q. How long does it take?

A. I don't know; I never stood over them; I presume not over a couple of hours. The attendants are up at five o'clock in the morning, and have their work done by ten.

Q. The ward is swept every morning?

A. Swept every morning, and the beds are made.

Q. Then the nurse or attendant, if I understand you correctly, have additional duties put upon them besides attending to the wants of the patients?

A. Well, sir, the wants of the patients, I presume, are implied in proper cleanliness and care of the ward. I think both of those pertain to the comfort of the patient. A dirty ward would certainly not adduce to the comfort of the patient.

Q. What I desired to know was, how much time the attendant was taken away from their alleged duties as immediate attendants upon the patients to scrub the floors and poliee the wards?

A. As I understand the duties of an attendant in a hospital, the making

of the bed for the patient to sleep on is as much the duty of the attendant as giving the medicine.

Q. That is what I want to know—if the attendants in their respective wards keep it clean?

A. They keep it in order.

Q. Doctor, what is the pay of the attendants?

A. The pay of the attendants ranges from \$14 to \$18 dollars per month—depends upon the difficulty of the duty they have to perform. In the better wards—the quiet wards, I mean—where the quiet patients are, they are employed at \$14 per month; if they remain six months they get \$16. In three other wards they get \$16, and if they remain six months they get \$17. In two wards, where the greater risks are run, and more difficulties encountered in the management of the patient, they get \$16, and if they remain six months, \$18. The pay of the male attendants is \$20 a month, and if they remain here for six months they get \$22 50.

Q. Do you require a contract with them?

A. We do have an article of agreement, which every attendant is required to sign when they are employed; if they do not sign it, we don't care to employ them.

Q. Do you retain a portion of their wages if they leave you abruptly?

A. The article requires of them to give two weeks' notice in case they are required to leave, and if they leave without such notice, they forfeit a full month's wages. We pay their wages every month. On the 15th of the month we pay to the 1st of that month, so two weeks' pay always remains back.

Q. Who pays the attendants?

A. I pay if I am here, or not absent or unwell.

Q. Do you pay by order on the treasurer?

A. No, sir; a check is drawn in my favor for the aggregate amount of the wages. I am speaking of the nurses and attendants. The superior officers are paid by check. A check is drawn for the aggregate amount of the wages, and the book-keeper, with one of my assistants, or myself, count out the money, place it in an envelope; the attendants are called in, who sign a receipt, and receive their pay.

Q. Once a month?

A. Once a month.

Q. Have you any other way of receiving the pay for your attendants, or other necessary matters about the institution, excepting from the treasurer?

A. If I pay money for anything else, without order, I am out of that money until the committee re-imburse me with a check on the treasurer for the same.

Q. I mean, do you, as general manager—is there any process by which you receive money, except from the treasurer at Pittsburgh?

A. For what purpose?

Q. For the general purpose of the institution.

A. No, sir. I am supposed to receive it all from the treasurer, or advance it out of my own funds, and then I am reimbursed by check drawn by the committee on the treasurer. Moneys are paid in to me for the boarding of the patients, which I transmit to the treasurer, and receive from him a receipt for the same.

Q. Where you have a private patient, you receive pay here?

A. Oh, yes; and from the directors of the poor or from the commissioners of the county; they send their checks to me, and I transmit it to the treasurer, and I am responsible for that until he gives me a receipt.

Q. Is there anything sold off the premises?

A. Yes, sir; there are articles by the farmer; he hands that money over to me, and I transmit it to the treasurer.

Q. The same as all other moneys?

A. Yes, sir; the same. I receive a receipt from the treasurer; the farmer receives a receipt from me.

Q. We were speaking simply of the attendants and like employés. What other class of employés about the institution are paid the same way?

A. There are the farm hands, and the farm man, and the girls in the laundry, and the girls in the kitchen, and the chamber-maids, are paid in that way; the farmer, engineer, and assistant engineer, and the two assistant physicians and the book-keeper, are paid by check on the treasurer, drawn by the executive committee; the immediate employés are all paid the way I told you.

Q. How many book-keepers have you?

A. One

Q. Just one in this office?

A. Yes, sir.

Q. In the distribution of articles of clothing, shoes, and things of that kind, that are given out to the patients upon the order of Doctor Wylie—

A. To the male patients?

Q. Is there a record of any kind kept in his office of that?

A. There is a record kept by the storekeeper on the male side, and by the storekeeper on the female side of the house; we have a male storekeeper and a female storekeeper; they must keep a record of every article given out, which must correspond with the orders for the articles given.

Q. They are book-keepers?

A. No, sir; they keep an account.

Q. They keep accounts of the articles sent out?

A. They have books to show the transaction of the clothing given to the patients.

Q. The storekeepers are employed simply to give out, upon the orders of Doctor Wylie on the male department, and Doctor Hutchison on the female department, articles that they order?

A. Yes, sir; give out such articles as their orders require.

Q. Do you have two storekeepers?

A. Yes, sir; one on the male side, and one on the female side of the house.

Q. In your judgment, do you think that the business of the institution, so far as giving out clothing and things of that kind, could be done with but one storekeeper?

A. No, sir, I don't; because a man would not be competent to give out the clothing for the female patients, and a woman would not be competent to give out pants, vests, etc., for the male patients—wouldn't understand the business.

Q. The storekeeper for the female department is a lady?

A. Yes, sir; I think there is work enough for the two of them to perform; their wages are not very high, and involves not a very large expense to the institution.

Q. For instance, take the male department; upon the order of Doctor Wylie, in sending out clothing to the patients, how is it known what those patients require—how is that ascertained?

A. The supervisors make a report and Doctor Wylie examines the fact whether it is actually needed or not, and then he gives an order to the supervisor, and the supervisor takes it and goes to the storekeeper and

gives it to the patient; the store-keeper makes an entry of that article having been given to that particular patient, and these orders and entries must correspond.

Q. These are furnished at the actual cost?

A. At the actual cost; we are required to do so by law.

Q. Who pays for them?

A. The counties—townships from which they come.

Q. And in the case of a private patient?

A. The friends of the patient.

Q. You spoke of a bond required in case of a private patient; what is the amount of that bond, Doctor?

A. A bond in a forfeit of a thousand dollars.

Q. Is it a judgment bond?

A. Judgment bond.

Q. Is it the custom of the institution to enter up a bond?

A. No, sir; it is not.

Q. You do in some cases?

A. We never have had to do it more than in one or two cases; we never think of entering a bond up unless it is absolutely necessary to recover the money due.

By Major Walker:

Q. I want to ask you one or two questions further, I omitted to ask you in the direct examination some time ago—what salary you receive as the general superintendent and manager of the institution?

A. Three thousand dollars during the last years. I began at \$1,000 dollars twenty-six years ago, and the managers have gradually raised it until now I get \$3,000.

A. Your salary as general manager and physician-in-chief is \$3,000?

A. Yes, sir.

Q. How is that salary paid to you, and by whom?

A. By check drawn by the executive committee, signed by three members of that committee, and drawn on the treasurer; paid monthly.

Q. Who in authority authorizes the executive committee to pay you \$3,000 a year?

A. The board of managers.

Q. What is the amount of the appropriation that you ask the State to give you at this time?

A. Thirty thousand dollars for the payment of the officers' salaries and wages of the employés, and \$1,000 for insurance for one year—for the year 1884.

Q. Thirty thousand dollars for salaries, and \$1,000 for insurance?

A. Yes, sir.

Q. Doctor, will the \$30,000 you ask from the State pay all the salaries of the institution?

A. For one year all but about four thousand and some hundred dollars, as it was last year. We take one year for a basis of the next year. In 1884 it may not be as much as it is now.

Q. You estimate in 1884 they will probably be less than this year?

A. Yes, sir.

Q. Will \$30,000 cover it?

A. We hope it will.

Q. Doctor, for what reason do you think it will be less?

A. Just this: We had many employés that we may not have in 1884—the improvements on the ground, the making of roads, cutting of stone, stairs, &c., and attendants that we may not have in the next year.

Q. If you should discover in 1884 that \$30,000 would not be sufficient to pay the salaries of the employés and the physicians of the institution, what way have you of paying this over-plus—the over-amount—if any?

A. We would pay the deficiency from the surplus—from the earnings of the hospital for board and maintenance of patients received from counties, townships, &c., and other moneys received from other sources.

Q. You have a surplus fund, have you?

A. Of what?

Q. Of money.

A. We have a surplus. The president acknowledges that there is a surplus in his report; the treasurer gives you a statement of it in his account.

Q. Then any deficiency that would be needed beyond what the general appropriation provides for salaries would come out of the general fund?

A. Yes, sir; that is correct.

By Senator Hart:

Q. How many supervisors are there?

A. There are two supervisors for the male ward and one female supervisor for the female ward.

Q. What are the duties of the supervisor?

A. They are superintendents of the nurses, see that they treat the patients properly, see that the clothing is properly furnished, and the patients taken care of, and report any dereliction of duty on the part of the attendants to the physicians or to myself.

Q. What qualifications are prescribed for the attendants?

A. As much intelligence as we can get for the amount of money paid, and as much kindness and humanity and interest as we can get. Whenever we discover an attendant is not possessed of those qualifications we let them go.

Q. Doctor, please describe to us the manner in which you receive patients, what examination does he undergo under your direction when he first comes to the hospital, in whose charge is he placed, and just go on and describe it—what is done with the patient from the time he reaches the institution until you locate him in the proper ward that you regard the proper place.

A. The patient is met generally at the front door by one of the assistants or myself, and is invited into the parlor—if a man, into the male parlor; if a female, into the female parlor. The history of the patient is at once taken down by the assistant or myself, and he is then transferred to the care of the supervisor, and she is instructed what ward she is to place that patient in, and that is determined by the history given by the friends who convey the patient to us. The assistant physician makes it his duty then—or I do—to examine the patient, and he is prescribed for by the assistant. The ward that the patient will be placed in will depend altogether upon the conduct of the patient and the history given to us by the friends. If a violent patient, he will be placed in the ward where he can do the least harm; if quiet and civil, why, he will be placed among that class of patients.

Q. Do you keep a record of the patient when he is received, and the examination you make?

A. We keep a record and histories of every patient we have received back for twenty years—the facts as they are detailed to us by friends, and that history covers his age and nativity, the nativity of his parents, their habits, and, so far as we can learn, his habits, the character of his insanity, whether suicidal or homicidal, whether it is acute mania or melancholia,

and that whether it is chronic melancholia or not. We keep it in a book for the purpose—in fact, whatever will assist in the treatment and the care of the patient we try to ascertain. We also note in that history the duration of that insanity, and in a large proportion of the cases the duration has been so great as to preclude any hope of the recovery of the patient. Those who have been insane fifteen or twenty years there is little hope of aid by any medical treatment.

Q. Do you yourself make personal visits frequently through the various wards of the institution?

A. I do, as frequently as my health and the business of the institution will permit. In all bad cases I visit them. All acute cases that require my attention they get it.

Q. Have you had occasion to discharge attendants in this institution for maltreating patients?

Q. We have discharged a great many attendants for various causes, sometimes for very trivial offenses, other times for alleged abuses and mistreatment, and disrespectful treatment—even discharge them for that, so that the life of an attendant, or the duration of their employment in this institution will not average, among fifty attendants, more than two years. It is very few that can remain longer than that time—I mean their official life, of course.

Q. How long has Doctor Wylie been connected with the institution?

A. Well, I cannot remember exactly; I think it is about four years or six years; I know he has been here quite a time.

Q. How long has Doctor Hutchinson?

A. He has been here four or five years; they can answer that question better than I can, without looking at our books; I cannot answer rightly; they have been here long enough to have a great deal of experience.

Q. What physicians were here prior to the employment of Doctors Wylie and Hutchison?

A. Doctors Ayres, Grayson, Simpson, Purviance, Hengst, McNeil, Ewing, Gaddis, Waugh, and Fuller.

Q. That comprises the whole number?

A. I think that comprises all, clear back.

Q. Since Dixmont was erected?

A. That comprises back the first of the twenty-six years.

Q. What is the greatest number of years that any one of the attendants, that are now in the employ of the institution, has been employed?

A. Mr. Bogue has been over eight years, Miss Cosad has been here over eight years, and Miss Hope, supervisoress, has been here more than seventeen years.

Q. What amusement, if any, has the institution provided for paid patients?

A. Billiards, dominoes, checkers, concerts, musical instruments, pianos, organs, violins, theatrical performances, walking out doors, croquet, balls, and such amusements as those, lectures and preaching, occasionally the stereopticon and magic lantern exhibitions.

Q. Are they permitted to dance?

A. Dancing parties every Monday night; dancing parties for the female patients every Monday night; the dancing is not promiscuous, being confined entirely to the female patients and female employés.

Q. As I understand, you have musical instruments?

A. Yes, sir; I have said organs, pianos, and violins for the use of the patients.

Q. What restraint is there upon the patients with reference to the use and enjoyment of any of these amusements?

A. None, whatever; if they are competent to enjoy them they can do so; gymnastic exercises are also provided, every Tuesday and Friday afternoon for the female patients.

Q. Is there any system of punishment inflicted upon any patient for any violation of any of the rules?

A. Nothing that we call punishment is ever inflicted upon any patients; the object of any restraint is for the good of the patient or the protection of other patients.

By Major Walker:

Q. Doctor, you were speaking about a number of subordinate physicians connected with the establishment since the organization of the institution—the number that you mentioned there, were any of those physicians you mentioned discharged from this institution, either for incompetency or for any other reason?

A. No, sir; I do not recollect of any one that has been discharged.

Q. Now, why did they leave the institution?

A. Because they wanted to engage in private practice.

Q. No difficulty of any kind?

A. They have all succeeded well.

Q. No difficulty with any whatever?

A. No special difficulty when they saw proper to leave.

Q. No misunderstanding with you?

A. There were some were not as efficient as we would wish; they resigned, and left of their own accord.

Q. Were not competent?

A. Not competent as they should be.

Q. I ask you if, from incompetency or any other reason, any were discharged or resigned?

A. They resigned; I gave them the opportunity of resigning.

Q. Doctor, did you retain them here, still thinking they were incompetent?

A. I extended to them the option of resigning.

Q. Do you remember the name of any?

A. Doctor Fuller.

Q. How long was he here?

A. He was in the old hospital.

Q. How long did he remain with you?

A. Six months or a year.

Q. As soon as you discovered his incompetency, you gave him an opportunity to resign?

A. I gave him an opportunity to do so. There was no other physician that could not have remained, if they saw proper to do so; there was no medical man discharged.

By Mr. Graham:

Q. You have holiday entertainments, amusements, sometimes, don't you?

A. Yes, sir; every holiday—at least Thanksgiving, Christmas, and New Year's—special preparations are made for the entertainment and amusement of the patients; very extensive and elaborate preparations are made for their enjoyment; they are furnished with special dinners and other amusements on such occasions.

By Senator Hart:

Q. What regulations are there with reference to out-door exercise for patients?

A. The assistant physician sees that the attendants take their patients out of doors to exercise regularly every day. I have known every patient on the male side of the house to be out of doors, and I have known all the patients on the female side to be out of doors; the assistant physician sees that it is attended to. The patients are taken out to walk and exercise. An account is kept of the number of patients who are out walking.

Q. Doctor, how is this building heated?

A. By steam—by indirect radiation.

Q. Where are the boilers located?

A. They are located at the western extremity of the building.

Q. Disconnected from the building?

A. Yes, sir; a distance of two hundred feet from the building; more than two hundred feet from the building.

Q. What means are provided for the ventilation of the building?

A. We have two fans, one at the western extremity and one at the eastern extremity of the building. The one at the western end of the house is fifteen feet in diameter, to force the air into all the rooms to ventilate half the house, by the power of an engine. The fan at the eastern end is to ventilate the two blocks, with an engine provided especially for its use.

Q. How is the building supplied with water?

A. The supply of water for drinking purposes and cooking is by a spring in the rear of the hospital. It is carried by pipes into every department. The water—needed for ordinary purposes cleaning the floors and for bathing—is supplied from the Ohio river, pumped into a reservoir three hundred and five feet above the river level. From there it returns through pipes through the departments of the institution. We have duplicate pumps, so that if one fails the other can be used immediately.

Q. What means of access have the patients to the supply of water when they require it?

A. Every ward has spring-water supplied, either in the bath-rooms or in the little rooms provided for the purpose, and the spring-water is drawn from this place and put in coolers, which are kept in the dining-room. The reason for this is, that the spring-water, in ascending through the different wards of the house, is near warm water, and is too warm to drink.

A. It was in testimony that the patients haven't drinking water, and could not get it except as furnished by the attendants. Is the water locked up?

A. The water is put in coolers, and ice put in. They have access to it every meal, and it is the duty, whenever the patient wishes a drink of water, for an attendant to go there and get it for them in that dining-room, and it is carried in their rooms in pitchers. The reason it is kept in that way is, that the patients would go and wash their faces with that spring-water, and soil the floor and litter up everything, and make use of it for other purposes. They urinate in it, and often defile it every way, and they take their excrement, and for that reason we have it in a place where they can't get at it, but every patient who can take care of a pitcher, has that in their room. I never heard any complaint of any patient not getting water when they wanted it. In some of the wards the water-cooler sits out in the hall, where they can get it. It depends altogether on the class of patients. And of ice—we use as much ice every day as a two-horse wagon can bring up from the ice-house daily. It is distributed by the porter through the house every morning in these water-coolers.

By Senator Hart:

Q. Do all the patients get all the supply of water that they want?

A. They can get it, and I never knew they didn't get it. I should dis-

charge the party immediately who would not get it for them. I never heard of their not getting all they wanted.

Q. Have you any such thing as a dark room as a means of punishment?

A. We have not a single room in the building that has not a window in it. We have a room that has shutters on the windows, which can be closed—wire-shutters to prevent the patients from injuring themselves. We have two other rooms, though they have a greater space than the ordinary windows in the other wards. The windows are placed high so that the patients cannot get at them. Those are the only strong rooms that we have in the building.

Q. Have you any means of informing yourself of the temperature of these wards?

Q. We have a thermometer, such as you see hanging in this office, in every ward, and the attendants are to keep record of the temperature, as taken from this thermometer. We have in the main hospital a steam-gauge connected with the boilers by a telegraph wire, which not only traces the pressure upon the boilers, but traces on paper the pressure on the boilers every hour of the day, and also signals the fireman or engineer at the boiler-house, and whoever may be in the office any excessive pressure that may be carried on our boilers. If the pressure rises above fifty pounds the bell would ring, both in the boiler-house and in the office. The object of that is to have this temperature regulated both night and day, and to know that it is done.

By Mr. Walker :

Q. What precautions are taken to prevent accidents from fire?

A. The building is so constructed that it is in a great measure fire-proof, although not entirely so. The floors are all deafened, and filled in with concrete, so that a fire would communicate very slowly from one part to another. Then there are no fires in the building at night at all; and no fires in the building during the day, except this one in the office and the two kitchen fires, the entire building being heated by steam. The building is lighted from the gas-works. They are at a distance of six hundred feet from the building, at the river. All lighting is done by gas, except what is necessary to be done by lanterns. No lamps are permitted to be used in the wards, and the gas-lights are distributed so fully throughout the building that there is little or no necessity for a lamp.

Q. In case of fire and a general stampede and alarm of fire, what facilities of egress are there?

A. Every block in the building has an iron or stone stairway at either end. There is but one iron stairway in the house, so that they have two modes of escaping from every ward—two modes of egress from every ward in the house.

Q. Leading immediately out-of-doors?

A. Out-of-doors. The door is at the end of the stairway.

Q. Suppose the fire would cut off the egress of those two places, what would you do?

A. Then we would be in a pretty tight place. The blocks are separated by stone stairs, so as to pass from one ward into another. They can go into each one of the wards. The blocks are entirely separated by the stone stairway. The means of extinguishing a fire are about as good as we can have. We have twenty-five hundred feet of inch hose distributed in our wards, each ward having enough to reach to either end of it, and into any room in the ward; and outside four fire-plugs, connected with a four-inch pipe to the main reservoir.

Q. How much hose have you there?

A. We have six hundred feet of two-and-one-half-inch hose, enough to reach two thirds of the building from any fire-plug. We keep that on a reel.

Q. What is the force of the water?

A. It would throw the water on the roof—the third story of any building.

Q. And in the wards how many feet of hose?

A. Twenty-five hundred feet.

Q. How much would that give to each ward?

A. One hundred and forty-five feet to some, and to others one hundred.

Q. What is the character of the hose?

A. The best quality of gum hose.

Q. How long have you had it?

A. Some of it we have had about two years, and some not so long.

Q. How often do you test that hose?

A. About every six months.

Q. Not oftener?

A. Not oftener than six months; don't think it necessary to test it oftener than every six months.

Q. Where is it kept?

A. In some of the wards in the clothes-rooms, unrolled; ready to be unrolled.

Q. How far is the hydrant from where you keep the roll?

A. There is a special pipe connected with the main water pipe of the hospital for the use of this hose.

Q. How far is that from where the hose is?

A. In all but two instances, about six feet, or near it. The hose is ready to be unreeled and the water let on.

Q. In the testing of the hose every six months, do I understand you to mean that it is actually tested with a pressure of water?

A. Yes, sir; to see whether it will bear the pressure.

Q. In what way do you do that?

A. It is unreeled, and we let the water through it.

Q. Is the building insured?

A. Yes, sir.

Q. What amount?

A. Over \$200,000; I think it is \$225,000.

Q. The gas-works were also insured?

A. Yes, sir; insured from fire.

Q. Did you get the insurance?

A. Not yet.

By Mr. Graham:

Q. What are your instructions to your officers who have charge of the different wards, should they be summoned at night by any sickness of any of the inmates—have you any arrangements by which they can be called?

A. Yes, sir. You cannot, in any ward in this house, make a step which cannot be heard in all parts of that ward. That arrangement is brought about by having no windows above the doors of the sleeping-room.

Q. Suppose a patient would be taken at night and would wish to summon an attendant, how would he do it?

A. Why, by knocking on the floor or on the bed, or on the wall, even, the attendant can hear it, and she goes to her.

By Major Walker:

Q. Where is the attendant?

A. Her room is at the end of the ward, a small end room, or in some her room is in the middle, in a place where she can readily hear.

By Mr. Graham :

Q. You require them to get up ?

A. To get up and stay with them if they are ill. If a patient is sick and requires the attendant, an attendant must get up. We detail attendants for nurses. There are many attendants who are up every night ; not a night they don't get up ; they get so accustomed to it that the least sound awakens them.

Q. Where do the attendants get their instructions ?

A. From the supervisors, from the rules, and from the assistant physicians.

Q. Do you furnish them with a copy of the rules ?

A. We do furnish a copy of the rules ; when first employed we tell them they must obey these rules or they will lose their places.

By Senator Hart :

Q. What precautions are taken to procure fresh and wholesome food for the supply of the institution ?

A. We buy our beef from a butcher who has as good a reputation as any other person in Pittsburgh, the same precaution that you would take in a private family ; we buy our flour from a mill of the best reputation, and when we find it not of the grade we think we should have, we purchase somewhere else.

Q. How often is your fresh meat supply furnished ?

A. Every day.

By Mr. Reed :

Q. You have been asked about the assistant physicians you have had since the organization of the hospital ; can you tell us where they are now, and give us their present occupation ?

A. Doctor Simpson is in Western Virginia engaged in a lucrative practice.

Q. Doctor Fuller, he is dead ?

A. He is dead.

Q. Doctor Grayson ?

A. He is one of the leading physicians in Washington county.

Q. Doctor Ewing ?

A. Doctor Ewing is one of the leading physicians of Uniontown, Fayette county.

Q. Doctor Waugh ?

A. He is one of the leading physicians in Philadelphia, and is now sub-professor in one of the colleges.

Q. Doctor Gaddis ?

A. Doctor Gaddis is doing a good business in Uniontown.

Q. Doctor Hengst ?

A. Doctor Hengst is doing very well in Pittsburgh.

Q. Doctor McNeill ?

A. He is succeeding remarkably well.

Q. He is where ?

A. The eastern part of Pittsburgh.

Q. Doctor Purviance ?

A. He is a physician to the Marine Hospital in Boston, appointed by the Government of the United States.

On motion of Major Walker adjourned until two o'clock, p. m., of this day.

And now, to wit, February 28, 1883, parties met, pursuant to morning adjournment, at two o'clock, P. M., in the office of Doctor Reed, at Dixmont.

Present: Honorable J. J. McCrum, chairman; Senators McNeill and Hart; Representatives Walker and Graham; C. F. McKenna and J. H. Reed, Esquire, counsel for respondents, and witnesses, and the hearing of testimony proceeds.

Doctor J. A. REED resumes the stand, and examination continued by Senator Hart:

Q. Doctor, what means are provided for sewerage?

A. The water-closets, bath-room, kitchen, and so on, are connected with the main sewer by means of a smaller iron pipe; the main sewer is an iron pipe, and the joints are made with lead; the large sewer leads to the river.

Q. State the distance to the river from the institution.

A. It is one hundred and twenty-five feet from the front door. It has a fall of twenty feet.

Q. What is the elevation of this building from the Ohio river?

A. One hundred and twenty-five feet.

Q. Will you please give us a description of the type of the insanity and the conduct of a patient that was confined here by the name of Hopkins?

A. Hopkins was laboring under acute mania at the time he was brought here last, and at the time he was brought here some twenty-two years ago. he was suffering from violent acute mania, was very demonstrative and quarrelsome.

By Mr. Graham:

Q. You mean that when he was brought here, twenty-two years ago, he was put in the other building?

A. In the old building. He was under my care; and, when brought to this building, labored under the same form of insanity.

By Senator McNeill:

Q. Both times?

A. Yes, sir; both times.

By Major Walker:

Q. How long did he remain both times?

A. The last time he was with us he came February 5, and left on the 29th of January, 1882.

By Senator Hart:

Q. Do you know of any violence having been inflicted upon him during the last time he was here?

A. No, sir; I do not. I knew Mr. Hopkins very well, having been acquainted with him on the first visit, which was twenty-two years ago, and having known his family, who reside in Washington county, previous to that. I noticed his case particularly, both the first time and the last time he was in the hospital, and I am confident no violence was ever inflicted upon him. I saw him frequently—saw him in the tenth ward and in the sixth ward—and conversed with him on this patent fence of his that he had thought that he had invented. He was a violent man, and very difficult to manage; strong and athletic; and was disposed to abuse the attendants when they undertook to control him, or to get him to do what was wanted and needed for him to do—a man of high excitement when insane—one of the worst insane patients I had ever under my care, and I have had over four thousand five hundred in the past twenty-six years, and I recollect him as one of the most violent, most aggressive, or demonstrative patients that I ever had.

Q. Was it ever necessary to restrain his violence at any time?

A. Yes, sir ; it was.

Q. What restraints were necessary ?

A. The canvas sleeves were used upon him.

By Mr. Graham :

Q. That is what is usually called a strait-jacket ?

A. People call it a strait-jacket, but a strait-jacket is a very different article from canvas sleeves.

Q. It is a different article ?

A. Yes, sir ; very different article.

By Major Walker :

Q. You speak of "sleeving" some of them ?

A. That is what we call that, but it is not a strait-jacket as we superintendents call it ; a strait-jacket is a thing like a bag, put down over the body, and confined on the side.

By Senator Hart :

Q. Do you know of any such violence being used upon Mr. Hopkins that would tend to break his ribs ?

A. Mr. Hopkins never had any ribs broken while he was in the institution, and never complained of anything of the sort, never suffered the pain that would accompany broken ribs ; a man can't have broken ribs without having a great deal of pain ; Mr. Hopkins never made any complaint of such abuse ; on the contrary, appeared very happy.

Q. Did you ever hear of any such complaints, or complaint of any such character in reference to him while he was in the hospital ?

A. I did not until after this investigation.

Q. Either from anybody inside the institution or outside ?

A. I have no recollection of hearing any such complaint from any one.

By Major Walker :

Q. Would it have been possible for Mr. Hopkins to have received any maltreatment or abuse from the attendants without its coming to your knowledge ?

A. I don't think it would in his case ; it is impossible, for I saw him too frequently not to know it.

Q. I don't mean such serious abuse as broken ribs, and things of that kind.

A. I think Mr. Hopkins was a man who would have made complaint to me.

Q. I didn't ask you that question ; could it be possible for the attendants to have abused him without your knowing it ?

A. I don't think it was possible, for the reason he would have complained.

Q. I only ask whether it would be possible for the attendants to have maltreated him without your knowledge ?

A. I don't think it would be.

Q. And you know it without being present ?

A. Not unless he complained.

Q. That would be the only way ?

A. Yes, sir.

Q. Then, it would be possible for him to receive maltreatment, if he did not tell you, or the attendants did not tell you, without your knowledge ?

A. Yes, sir.

Q. The only way you know if such a thing would occur to any person in the ward would be from information ?

A. If I hadn't ears to hear, I think I saw the person often enough, and Mr. Hopkins is a man who would have told.

By Mr. Graham :

Q. How many patients have you had in charge in the institution ?

A. Over four thousand five hundred.

Q. When patients are brought here by their friends do they come voluntarily or under duress ?

A. Under duress—very seldom voluntarily.

Q. Under what conditions—do you find them restrained often ?

A. Yes, sir ; they have frequently come to us with restraints upon them such as I would not put upon an animal.

Q. Please describe them.

A. One man was brought here from near Parkersburg. His brother was superintendent of the schools of Beaver county. The man was brought tied on a mattress on a cot—strapped down on the back with a driving line, four-horse driving line wrapped around him and around the cot from his neck to his ankles. His hands were manacled with ropes, or tied to sides with a strap, and his ankles tied about the railing. The man was perfectly blue when he was brought in the house. He had been kept in that condition for two days and two nights. He was brought overland from Parkersburg. When he was brought in, I immediately ordered all the straps to be taken off. I would not allow the other patients to see him. I placed him on a bed, and sat with him for an hour, and saw he was very much excited. He had no opportunity to get off that bed for two days and two nights, and the evacuations were not attended to even for that purpose. In two hours afterward, I went back, and he was sitting up. I said to him : “ Good man, lie down ; don’t sit up.” I left him with an attendant, and in another hour he died, exhausted by the treatment he had received from Parkersburg here. I have seen women brought here with iron hand-cuffs on, and frequently with the strait-jacket, and their wrists tied with ropes, and their legs tied with ropes. I remember a lady who was brought from Rochester, Beaver county, with her hands hand-cuffed, in a carriage, and three men in a carriage with her. In addition to that carriage there was another one, a four-horse carriage, and six men in the carriage. That was the condition in which they brought that lady from Rochester. We took all the restraints off of her, and put her in the best ward. She never made us a particle of trouble until she went home. It is not an uncommon thing for women patients to be brought here tied—their hands tied with ropes, and sometimes tied behind their backs.

Q. Do you remember when Mr. Hopkins was brought to the institution the first and second time ?

A. I do not recollect.

Q. Do you remember Mr. Carroll ?

A. I remember Mr. Carroll very well, but I don’t think I was present on his admission. Doctor Wiley will remember that. I remember Mr. Carroll as a patient.

Q. Do you remember his case ?

A. Oh, yes ; for several days after his admission he was thoroughly excited, and even demented, so that he had no recollection of anything about him. I saw him during that time, and am satisfied that his mind was in such a confused condition or flame that he could not remember whether I had seen him or not.

Q. Doctor, do you know of any violence having been used on Mr. Carroll while he was here ?

A. No, sir ; to my knowledge no violence was used upon him. He was a very difficult man to restrain—violent and excited, and quarrelsome to attendants, and it was reported to me that he had knocked one of the attend-

ants down the first day he was in the house. He was an exceedingly difficult man to control.

Q. What was the nature of his insanity?

A. Acute mania, of the highest type.

Q. Did you regard him as cured when he left the institution?

A. No, sir; I did not by no means, and I don't think he is cured yet. The disease of the brain under which he labored when I saw him, was such as will never be cured.

Q. He did not make any charge of having been improperly treated by you, but by some of the attendants; that he was very roughly handled, and jumped upon, beaten, his ribs broken, kicked in the back, and that they put a strait-jacket upon him, with a knot in the middle of the back, and all that—was that so?

A. I don't think there is any truth in such a statement at all.

Q. You don't know of any such treatment?

A. No, sir; I don't think there was any such treatment.

By Senator McNeill:

Q. Would you know if there was such treatment?

A. I would know it. I feel confident if Doctor Wiley knew of any such facts he would have reported them to me, as he has many times reported them.

By Major Walker:

Q. Suppose that it occurred without him knowing it?

A. I do not think it would have occurred.

Q. Things could occur when you are absent from the ward. Unless you get the knowledge from the parties or attendants you would have no way of finding it out?

A. Things generally come to us.

Q. What I want to know is how you get your knowledge—this is the only way?

A. Yes, sir.

Q. Do you remember Doctor Carroll?

A. Yes, sir.

Q. Was he ever here at the time his brother was at the hospital?

A. He was here at the time he removed Mr. Carroll.

Q. You say that Mr. Carroll's brother was here—why was he here?

A. To ascertain the condition of his brother.

Q. Did he see his brother?

A. He saw him and he removed him.

Q. Did he see him in the ward?

A. I don't recollect, for I didn't go with him.

Q. Was he a State patient or a pay patient?

A. I think he was a pay patient.

Q. You are not sure?

A. I am not sure, without looking at the books.

Q. If he was a State patient, it would require an order of the court to take him away?

A. It would; or if he was an overseer of the poor patient he could be removed without an order from the court.

Q. Suppose he was a private patient?

A. The party who committed him could remove him.

Q. Who committed him?

A. He was on certificate.

Q. His brother?

A. Yes, sir.

Q. Then, having been one of the number who committed him, he had a right to take him away?

A. Yes, sir.

Q. Do you remember any conversation that you had with Doctor Carroll at that time in reference to removing his brother?

A. I remember telling Doctor Carroll that his brother was not sane, and was not in a fit condition to be removed, and if he would remain here a few weeks or, perhaps, a couple of months longer, it would be possible he would be removed, but it was advisable for him to remain for a couple of months.

Q. What was his reply?

A. I don't know what he replied.

Q. Do you have any recollection of positively refusing him, or to allow him, to remove his brother until you found out that he was one of the physicians who committed him?

A. No, sir. I simply gave advice to allow him to remain, and never refused to allow him to be removed.

Q. Suppose some other physician would come here, would you object to them taking them away?

A. A physician that had nothing to do with committing him I think I would have.

Q. You were aware at the time that his brother was one of the physicians that committed him?

A. I was aware his brother had some control over him in committing him.

Q. When his brother was removed from the asylum did they go from the asylum to the station?

A. I don't know. I was down stairs when his brother came back from the city.

Q. When his brother was taking him away from here, was he a sane or an insane man?

A. He was an insane man.

By Mr. Graham:

Q. Doctor, two ladies testified here that they had been employes for some time; what was their conduct, how long had they been here, and how and why were they discharged?

A. Miss Coulter, Mrs. Coulter, and Phoebe Dolman were young ladies that had been employed at the water-cure at New Brighton, Beaver county, who made application for employment as attendants. I gave them employment as surplus attendants, which we have on hand to take in when vacancies occurred. They were employed in the sewing-room most of the time, and had a sleeping-room in the ward. They were here from four to six months. They were not at all competent as nurses, as I discovered—insufficient—and had not a good temper, such as an attendant should have. There were reports coming to me that they were not harmonizing at all with the other nurses, and with the supervisors, Miss Hope. That one of them, Miss Coulter, spent a great part of her time in bed with various ailments, applying water applications to her stomach, and to her head, and to her chest, as she had great confidence in the water-cure treatment, and that kind of nurses or attendants do not suit this kind of institution. She had spent most of her time in bed.

By Senator McNeill:

Q. For what were they discharged—if they were discharged?

A. Miss Coulter was discharged for utter insufficiency, or spending most of her time in bed, claiming to be sick. Neither my assistant nor I thought

she was sick. I recollect distinctly of going to see her several times, and I was satisfied there was more pretension than reality in her sickness, and after she had these quarrels with these other nurses, and it was reported to me that she had been harsh with the patients, and not being such a person as I wanted to have as an attendant, I discharged her. Then Mrs. Coulter became angry, and gave in her notice that she wished to leave in two weeks' time, and she was informed by the supervisoress, under instructions from me, that she could leave at once, and she went.

By Major Walker :

Q. What was the character of the quarreling?

A. I said that Miss Coulter was not willing to be directed by the older and more experienced nurse, Miss Alexander; they seemed to be determined to put Miss Alexander and Miss McCaslin out of their positions, so as to make vacancies which they could occupy. At that time they were occupying the position of surplus nurses; of course if these two older nurses were discharged by me there would be places for them to get and keep.

Q. Do your attendants and the surplus nurses receive the same pay?

A. Nurses which have had been here six months when they receive two dollars more; if they had remained here six months they could have got sixteen dollars.

Q. If they had remained here six months they would have received sixteen dollars?

A. Yes, sir.

Q. Then what was their object in trying to displace these nurses?

A. The object was to get a permanent place, a regular position; they would feel they had their places secure for a year; they left with a very bad feeling towards the other attendants and Miss Hope, and one of them, in leaving, left a letter which was undoubtedly intended as an insult to Miss Hope, the supervisoress.

By Mr. Graham :

Q. I was going to ask—there was one other thing, it was a charge directly against the institution, against you or the officer, or by implication, and that charge is this: I would like to know how the patients correspond with their friends outside, if their letters are always posted and sent, or whether there is a surveillance exercised over them, and that some of their letters are withheld; I want to know how you manage the mail matter.

A. There is scarcely a day we don't send a dozen or more letters written by patients, and there are very few patients who have stamps furnished by their friends; we stamp these letters and send them in the mail; many of these letters come to me often sealed; if directed to persons I know are relatives it goes without being opened; other letters that are not sealed we read to see the character of the contents, and oftentimes we discover that they are such that the parties writing them would be ashamed to have them in existence if they recovered; an instance was of a young lady—I shall not give her name—of a very respectable family in Pittsburgh, who had a brother, an attorney, and that brother was a partner with Senator Gazzam; this young lady wrote a very obscene letter to Gazzam—it was an exceedingly obscene and vulgar letter to Senator Gazzam; fortunately I discovered it, but as the law required that we are to send all letters to any attorney living in the county in which the hospital is, or be subjected to a fine of one hundred dollars, I concluded that the letter would have to be sent, and I took the precaution to put on the letter, care of Mr. so and so, who was partner, knowing the letter would reach him and he would be aware of the fact of Senator Gazzam receiving such a letter,

and between them they could withhold it from the father of the young lady; after the young lady recovered she was exceedingly thankful to me for having protected her from exposure; this is the kind of a letter we will hold.

Q. Suppose they were sealed, they would very likely go?

A. Mostly, not always. If I know the disposition of the party writing, and his disposition was the writing of obscene letters, it would be my duty to open it.

A. Are these the only character of letters you withhold—those which have obscenity in them?

A. Yes, sir. Patients who often write letters making the most infamous charges against the hospital to the neighbors, and the husband will often write to the neighbors making most infamous charges against his wife. If that letter is directed to the husband or wife who may be at home, I would send it; if directed to a neighbor I would not send it, for the protection of the husband or wife.

Q. Suppose the letter commented on the institution unfavorably?

A. I would let it go, as I have left it hundreds of times.

Q. Have you ever retained any?

A. I have never retained any, believing we can stand all such investigations, and that if such an investigation is made will show the charges are untrue.

By Mr. McKenna:

Q. State if sometimes you do not discover suicidal intentions of the patients through these letters?

A. I have known patients who have manifested no intention of suicide to make it known to their relatives, and thereby put them and us on their guard. They often intimate their intention of doing so and so, and I have saved lives by getting that intimation in letters.

By Major Walker:

Q. Did you ever retain any of the letters that were written by Dr. Sevin, of Erie?

A. I don't believe I have, Major Walker, retained a single letter except those written by his son. Those I retained by his own request, as he said those letters troubled him and made him feel badly.

Q. What became of them?

A. They were destroyed—thrown away.

Q. Any other letter that Dr. Sevin has written to other people in Erie has gone?

A. All his letters to everybody else that he wrote were sent. I could not read his letters; they were written in German.

Q. Were all letters written to him received by him?

A. Always, save those to his son.

Q. Did you receive any from his son?

Q. I received one from his son directed to officer, assistant physician, or book-keeper of the institution.

Q. How could you tell it was from his son or anybody else?

A. I don't know where his letters come from. They were always directed in German. I never knew, and gave them to him.

Q. When he wrote letters to his son, were they in German generally?

A. In German.

Q. Were they addressed in German or English on the envelope?

A. My impression is that they were addressed in English; I have not a distinct recollection of it.

Q. Do you know the name of his son?

A. Julius.

Q. Where did he reside?

A. In a great many places. It would be difficult for me to tell you where he is residing. He is much the cause of his father's insanity. I never intercepted any letter that was intended for Dr. Sévin from any other party.

Q. How were the letters controlled—what is the formulæ?

A. The post-master puts all the letters for patients and employés, except such as he may be directed to withhold by the employés. They are all put together in one mail-bag, which is locked by the postmaster. He has a key and I have a key, and when that bag comes up I unlock it, and all letters intended for the male side of the house, including one for the patients, I put on the windows, where they have their medicine boxes, and the supervisor gets them and distributes them to those for whom they are intended. The supervisoress gets them for the female side of the house, and they are distributed in the same way.

Q. How about the other side?

A. All letters intended to be sent away are handed to the supervisor, who brings them to the office.

Q. They are handed to the supervisoress?

A. Yes, sir; and we send them.

Q. You furnish pen, paper, and ink?

A. We furnish pen, paper, ink, and stamps. We are under no obligation to furnish stamps, but would rather do it than disappoint a patient who corresponds. It is one of the luxuries which they ought to enjoy.

By Senator McNeill:

Q. Do you open the letters that come for patients?

A. No, sir.

Q. Letters from the outside you never open?

A. No, sir.

Q. It is only those that go out?

A. Yes, sir.

Q. A letter coming from Julius Sevin would reach Doctor Sevin?

A. Would reach him.

Q. And going to Julius Sevin would not?

A. The Doctor did not write to him but very little.

Q. The Doctor instructed you not to give these letters to him?

A. Yes, sir; he has instructed me not to give them to him if I knew it.

Q. What did he write?

A. He would write sometimes, giving him a lecture, which troubled him. The Doctor very rarely wrote to his son.

Q. You did not intercept those coming from the son?

A. I did whenever I knew it. I did not always know it.

By Mr. Graham:

Q. Suppose Julius Sevin was writing to his father, how would you know it?

A. Suppose Julius Sevin wrote from New York city, and had some mark on it from Dey street down there near where the Broadway hospital used to be, where I knew Julius Sevin had his office, I had very good reason to suppose it was from him.

By Major Walker:

Q. He was migratory in his habits?

A. Yes, sir.

Q. You knew his penmanship?

A. Yes, sir.

Q. You could tell whether it was a letter to his father from Julius?

A. Yes, sir; by the penmanship.

Q. Was it German or English?

A. English. There was no trouble at all of knowing Carl Sevin; it would not always be Charles Sevin; he would send the letter addressed to Carl Sevin.

Q. Do you know of Doctor Sevin receiving a letter from Dr. Brandis?

A. No, sir; I do not.

Q. Do you know of Sevin receiving a letter from Mr. Walter, of his committee?

A. I don't, because I never opened their letters.

Q. You don't know how they would be addressed?

A. No, sir.

Q. Did you have any intercourse with Mr. Walter?

A. Yes, sir; I have written to Mr. Walter.

Q. What did he write to you?

A. He wrote ordering the discharge of Doctor Sevin.

Q. Have you ever had any other communication from him?

A. Yes, sir, I suppose I have; I cannot specify from a hundred letters I have received here, and it would be difficult for me to remember.

Q. Do you remember receiving a letter from Mr. Walter since Doctor Sevin left the asylum?

A. I don't recollect; possibly I may have.

Q. Have you any recollection of receiving a letter from Mr. Walter?

A. I received his letter ordering the discharge of Doctor Sevin.

Q. Is it possible for you to have received one, but still not be fresh in your recollection?

A. Yes, sir; that would be possible.

Q. You may have possibly written and not remember?

A. I may have; I write a great many letters; I don't remember.

Q. Who took Doctor Sevin away?

A. I cannot remember the name of the party; there was a party came from there with an order from Mr. Walter, from the committee appointed by Judge Galbraith.

Q. Was it by order of court or just simply by order of his committee?

A. By order of his committee; the court had nothing to do in discharging him. He was placed in the hands of that committee, and that committee had power to remove him and take him where he pleased.

Q. You don't recollect whom it was that came for him?

A. Well, it was a very singular name.

Q. Was it Brevalier?

A. That is the name.

Q. Was there any person with him?

A. I don't recollect; I was not present when the Doctor was present; I was in my room at the time, sick.

Q. At the time he went away, was Doctor Sevin a sane or an insane man?

A. An insane man.

Q. In what way did he manifest it?

A. Like as though he was demented from age; a man is demented from old age; irritable.

Q. Did you read the testimony he gave before this commission at Pittsburgh?

A. I did.

Q. Would you consider that rational testimony?

A. I would not; very far from it.

Q. I don't speak as to whether it was true or not.

A. I understand.

Q. Whether it was not a rational answer to rational questions?

A. I don't think it was; I would say Dr. Sevin is not sane.

Q. In what respect?

A. Generally—does not answer questions given rationally.

Q. Doctor, we have before us here the testimony of Doctor Sevin; the first question that was asked him was the question of his age and he says, "I am seventy-four years." That you would, of course, consider a rational answer to an ordinary question?

A. Most any man that is not more insane than Doctor Sevin can give his age; that is no evidence of sanity, nor to be able to tell where he was born.

Q. Or where he was educated?

A. No, sir; no evidence whatever.

Q. Or his profession?

A. No, sir; plenty of insane men can give—

Q. Nor the length of time he was here?

A. We have a man who can give the number of hours he has been in this institution, though he has been here for years, which is no evidence of his sanity.

Q. You say you have read the testimony of Doctor Sevin, and you consider it that of an insane man?

A. I have read it all through, and I would say it is an evidence of insanity when a man is so feeble as to be imposed upon by the statements of insane people.

Q. Is that the only thing?

A. I said the general tone of his whole statement is evidence of insanity to my mind.

Q. That is the only thing?

A. No, sir; no, sir; the tenor of the whole testimony in my mind; I do not take any one thing that a person does or says as an evidence of sanity or insanity; taking the whole combination or circumstances together, I think it is an evidence of insanity.

Q. I interrogated him and I asked him certain questions; do I understand you to say that the questions propounded by me, and which he answered apparently rationally, do they show an evidence of insanity?

A. If you combine all the man's statements they are evidence of insanity.

Q. I didn't ask you that in that view at all; I have no doubt myself about Doctor Sevin; I don't place a great deal of credence on his statement but that ain't the question I asked you.

A. I stated one instance.

Q. What is that instance?

A. Taking in the statements of an insane person and retailing them as facts.

Q. In answering to what questions?

A. In regard to Mr. Pershing, and in regard to Neinsteil, Duncan; and his irritability is another evidence, becoming irritable.

Q. You consider it an evidence of insanity of Doctor Sevin, that when he testified before this commission, when he denounced before the committee as not being true the interview with him in the *Herald*?

A. If he had made this statement to the *Erie Herald*, and then became irritable, behaved in a rational manner, and then became irritable on ac-

count of the report of that gentleman, I would take it as an evidence of his insanity.

Q. Would you consider the answer that he made them to the question that I propounded as to the report of the *Erie Herald* being true or untrue, and the reply that it was not true is an evidence of insanity?

A. In Doctor Sevin's case it would be an evidence of insanity.

By Senator McNeill:

Q. You read the account of the investigation; was it from the stenographer's report or from the newspaper reports?

A. Newspaper reports.

Q. You don't know just exactly what was said?

A. No, sir; of course I took the reports from the newspapers, which is the only knowledge I have that Doctor Sevin said these things.

Q. Do you know what was said about the head-lines—you noticed that?

A. Yes, sir; I noticed that.

By Mr. Graham:

Q. You will remember that the newspaper reports, which we receive of this testimony, is merely a synopsis, an abstract of what generally was said?

A. I presume that is so.

By Senator McNeill:

Q. You didn't have opportunity to know how irritable the Doctor was on being subjected to having the questions asked over and over again?

A. I am confident that reports could not convey, by any language they might use, the Doctor's manner in giving his testimony.

By Major Walker:

Q. Do you remember of reading Doctor Sevin's testimony?

A. I remember of reading it in the newspapers.

Q. Now, as to his evidence in reference to Mr. Thumm; is that true or not true?

A. Well, now which do you refer to? He first stated that he had seen Mr. Thumm abused, and in a future examination that he had not seen Mr. Thumm abused. Now, which do you refer to. Doctor Sevin has stated, as I read in the paper, that he had seen Mr. Thumm abused, and afterwards that he had not seen him.

Q. I will read over to you the testimony of Doctor Sevin in reference to Mr. Thumm, and after I read it to you, I wish you would state whether there is any feature in that testimony of Doctor Sevin showing insanity.

[Here the short-hand report of the notes of Doctor Sevin was read to the witness.]

Q. Doctor, the answer I read to you from Doctor Sevin's testimony. would you consider that the answer of a sane man?

A. I would not.

Q. Doctor, taking the testimony of Doctor Sevin and the answers to the interrogatories propounded by Senator Hart, would you, as an expert, say that evidence—the entire contents—the entire evidence is that of an insane man?

A. I would, taking the whole evidence all through. It bears the impress to my mind of an insane man.

Q. How often did you see Doctor Sevin?

A. Oh, I don't mind how often I went there to visit him.

Q. What lapse of time was there between the visits you made to Doctor Sevin?

A. Oh, well, I saw him frequently; I kept no record.

Q. A hundred times?

A. Probably more than that.

Q. Did you see him once a week ?

A. Yes, fully once a week, when I was well and on duty ; except when I was away from home, I did not see him.

Q. Is it your custom to see all patients once a week ?

A. When I possibly can.

Q. How near do you come to it.

A. I come very near to it when I am well ; I think I should average fully once a week when I am well.

Q. What is the character of the visits you make ?

A. Professionally. I don't go in all the wards at one time. It is rather too much labor to go a mile walk and see five hundred patients at one time. I took several wards at one time.

Q. You would just go to see their mental and physical condition ?

A. Yes, sir ; and if they are seriously ill, I frequently go every day.

Q. Do you prescribe for them ?

A. Certainly. I have frequently directed the assistant physician.

Q. Of course it would go through, then ?

A. Yes, sir.

By Chairman McCrum :

Q. Did you ever examine Dr. Sevin ?

A. Many a time ; many a time.

Q. Prescribe for him yourself ?

A. Prescribe for him myself. I have sat with Dr. Sevin for one hour frequently, hearing him descanting on his deplorable condition, his lost soul, and heard the whole story from the very beginning the trouble he had with his son.

Q. You talk of visiting the patients as often as your health will permit—how long has it been that your health would not permit ?

A. Well, I was nine weeks in my room, and I would suffer weeks after that, but I had sufficient strength to go about the house. By the advice of my physician I have not yet been to the city, but I go about the house.

Q. There has been nine weeks in which you didn't visit the patients ?

A. During my sickness.

Q. There has been nine weeks you have not been able to ?

A. Yes, sir ; but that does not occur every year.

Q. But there has been a term of nine weeks that you were not able ?

A. There was one term of nine weeks I was not able to go through the ward.

Q. And during that time you entrusted your position to your assistant ?

A. Yes, sir ; my assistant physician, in whom I have the utmost confidence, and of whose ability I am very certain.

By Major Walker :

Q. When you prescribed for the doctor, what was the character of his ailments—was he very sick ?

A. Not that I remember.

Q. Was he ever ?

A. Well, I remember him being confined to his bed one time to prevent suicide.

Q. Was he ever seriously ill except that time ?

A. No, not except that, so far as I recollect. When we prescribe for an insane person, we do not prescribe as in ordinary sickness. Our prescriptions are for quieting high nervous excitement, with the intent to keep them quiet, so as to give them a good, healthy sleep, and that sleep will restore the brain.

Q. Have you any recollection of prescribing any medicine for Dr. Sevin?

A. I do not; I have no recollection of doing anything of the kind; I do not charge my memory with such matters.

Q. Would you be likely to remember it?

A. I do not recollect any special time that I prescribe; I do not charge my memory with that kind of thing.

By Mr. McKenna:

Q. You have been interrogated about special portions of Dr. Sevin's testimony—will you please state what peculiar form of insanity Dr. Sevin showed?

A. Strong suicidal tendency.

Q. In what way?

A. Every way almost that an insane man can invent; he tried suicide by pounding glass, by choking himself with a string, and tried it by battering behind his bedstead, and tried it by starvation, refusing food.

Q. Do you remember him ever having attempted to open a vein, in his room?

A. Yes, sir; I do with a piece of glass.

Q. Do you remember the period when he refused to eat, and had to be fed with a tube?

A. I do remember it very well; at the same time that he was confined on his bed, to keep himself from abusing himself.

Q. Do you remember of any violence, or his smearing his person over with human filth?

A. I remember it being reported to me; I didn't see it.

Q. Do you remember when that was?

A. It was while he was in the fifth ward.

Q. Was it about the first of his admission; was it the first period of his admission?

A. Yes, sir; it was the early part of his admission; Doctors Hengst and McNall were the assistants at that time.

Q. It was during a period of high excitement?

A. Yes, sir; just during a period of high excitement accompanied with an intense depression of spirits.

Q. I believe you made this answer in reference to Mr. Hopkins—I suppose it would apply to Doctor Sevin—would a man suffering from the form of insanity that Doctor Sevin suffered from—a high state of excitement—be in good condition to remember things that occurred?

A. I do not think when Doctor Sevin was in the condition that you have alluded to, he would remember what occurred; I don't think he would; his mind was too much occupied with insane delusions.

Q. Doctor, Doctor Sevin has testified that he came here of his own free will for temporary treatment; do you remember the time of his admission?

A. I do.

Q. Was he in a condition of mind to know enough about prescribing for himself?

A. Oh, no; very far from it; he did not come here voluntarily; he was brought here on a certificate of two physicians.

Q. Would you think from his mental condition that he would know anything about how he came here?

A. I don't think he would; don't think he would recollect it.

Q. I wish you would state, Doctor, from your own experience in the treatment of insanity, extending over twenty-six years, whether this hallu-

ination formed by inmates of asylums during high periods of excitement are apt to last after their restoration?

A. Yes, sir; I have known patients to retain those impressions indelibly upon their minds after their return home.

Q. After their discharge?

A. Yes, sir, and engage in ordinary occupations of life.

Q. Is that the exception or is that very frequent?

A. Very frequent; not at all uncommon.

Q. Are those previous recollections of hallucinations, the statement of Mr. Hopkins and Mr. Carroll relative to alleged abuse, broken ribs, etc.; would you pronounce that hallucination?

A. I would. They were fixed upon their minds, and no amount of evidence would make them confess their untruthfulness. I have no doubt that they believe what they say; at the same time I am very confident that they are laboring under hallucinations.

Q. These hallucinations were formed, I understand, during a high state of excitement?

A. Yes, sir.

Q. Have they not perverse ideas of things?

A. Yes, sir; perverse senses, perverse ideas; one of the most exemplary ladies of Pittsburgh who is now at home apparently well, her senses became so perverse that she would drink her own urine and washings. I give that as an extraordinary case how the senses may be perverted from hallucinations which attach themselves to their minds during these high stages of excitement, and those hallucinations very frequently remain with them through life.

Q. Doctor, in Doctor Sevin's narration he mentioned the names of Neinstel, Pershing, and Durkell as being sane persons and nothing wrong with them. I wish you would state now from your knowledge and treatment of these men in the institution, during the period that Doctor Sevin had intercourse with them, whether his statement is true or not?

A. I don't think that any man who is sane, would for a moment, if he knew all the facts, believe that either of these parties are sane.

Q. They are still here?

A. Are still here, and no doubt will be here until they get rid of the delusion under which they labor.

Q. Doctor, Doctor Sevin has stated there were sixty sane patients confined in Dixmont?

A. I should be very glad if it was so for the reputation of the medical staff if we could discharge sixty patients all restored.

Q. Doctor, what method have you in connection with this institution to inspect the provisions for the patients, and whose duty is it?

A. The housekeeper devotes her time to the provision department, to the cooking and the care of the supplies of food.

Q. You have a system then?

A. Oh, yes, we have.

Q. Are defective supplies of food returned for that reason?

A. Yes, sir, they frequently have been returned; the housekeeper has instructions whenever any supplies come that are not up to the standard—the high standard—they must return them to parties.

Q. That applies to groceries, butters, meats, all supplies?

A. All the supplies.

Q. You may state who supplies your beef.

A. Mr. Richardson.

Q. Of Pittsburgh?

A. Of Allegheny City, I believe.

Q. He has a stall in the Allegheny market?

A. Yes, sir.

Q. He supplies all the beef?

A. Supplies all the beef.

Q. He has for some years?

A. He has supplied all the meat for several years.

Q. Who supplies the groceries?

A. Mr. Porterfield, Reamer Brothers, and Dilworth Brothers.

Q. All responsible grocers?

A. Yes, sir.

By Major Walker:

Q. Who supplies the coal?

A. The Mansfield Coal and Coke Company.

Q. Which is by contract?

A. By contract; yes sir.

Q. You read the testimony of Doctor Sevin?

A. As it appeared in the newspapers.

Q. Did Doctor Sevin tell the truth, as it appeared in the newspapers, as to the manner in which he was brought here?

A. If I recollect, the newspaper account was that he came voluntarily; if he said that, he did not tell the truth.

Q. Did he say that?

A. I have only the newspaper for my authority.

Q. Was it in the newspaper?

A. It was in the newspaper in that way.

Q. What newspaper did you see it in?

A. I cannot recollect it; I saw them all, and I read them all.

Q. If your recollection is correct as to the testimony of Mr. Sevin, he did not tell the truth?

A. No, sir; he doesn't tell the truth; he was admitted on the certificate of two physicians.

Q. Didn't he say so?

A. No; the way I read it in the newspaper, he said that he came voluntarily; some man—a Mr. Kolb—was with him.

Q. Did you see the stenographic report?

A. No, sir.

Q. You have a copy of it, have you not?

A. No, sir; only just what I read to-day.

Q. I propose to read to you from the stenographic report of what Doctor Sevin stated in reference to the question propounded by Senator Hart, I think, as to how he came to Dixmont—how he was treated there. Now, I will read it over to you; and, after I have read it, I wish you would be kind enough to state whether he has, in the stenographic report, told the truth of the manner in which he came to Dixmont?

[Here Major Walker read from the stenographic notes.]

Q. I only want to ask you a question in reference to the statement of Doctor Sevin that we have read over here; as an expert of insane people would you say that the testimony which has been read here is any evidence of insanity?

A. Well, I am more convinced since this additional testimony has been read than before; it is so incoherent.

Q. Suppose, Doctor, it was the testimony of a person that you had never seen or heard of?

A. I would say the same on account of its incoherency.

Q. Suppose it was brought to your attention that he was a German?

A. The educated German would not answer that way.

Q. They will speak broken.

A. Broken English don't break sentiments.

Q. Doctor Sevin spoke about Pershing and Neinsteil?

A. They are here.

Q. Would they appear to a non-professional man as being insane?

A. Their conversation would not indicate it; either Neinsteil or Pershing would give the impression to any visitor that they were persons of a nervous temperament, or easily excited.

By Mr. McKenna.

Q. In connection with the question of Mr. Walker, would not the insanity of both Pershing and Neinsteil be discovered by any person or non-expert?

A. I cannot judge of the ability of everybody; after a conversation with them I should think an ordinary smart man should discover it.

Q. Whether he is acquainted with them or not?

A. Yes, sir.

Q. Suppose he is with them day after day?

A. He certainly would know it within twenty-four hours.

Q. How would he know it—by their conversation?

A. Mr. Pershing would descant on religious subjects, and Mr. Neinsteil on the subject of his wife; he would certainly discover that he was insane.

Q. Do you remember the case of Mr. Thumm, formerly an inmate here?

A. I do remember his condition.

Q. You visited him frequently?

A. Yes, sir; but I was not present at the time of his death.

Q. Do you remember the form of his insanity?

A. Epileptic mania.

Q. He died here?

A. He died here.

Q. Do you know what caused his death?

A. Strangulated hernia.

Q. Do you know whether a *post-mortem* was held?

A. A *post-mortem* was held, I think, by Doctor Gallagher, if I am not mistaken; I think he was one of the gentlemen who examined the patient.

Q. He was suffering from hernia when he came here?

A. From hernia.

Q. The *post-mortem* disclosed that fact?

A. Yes, sir; that he died from strangulated hernia, and at the same time that he had a diseased brain.

Q. No other injuries?

A. No other injuries that I know anything about; I don't believe he had any other.

Q. I wish you would describe to us here about epileptic patients like Thumm—if they become helpless, and fall down and injure themselves?

A. Why, certainly. The epilepsy strikes them very suddenly, before anybody can get near them. Their fall frequently causes bruises. They have no control over themselves, and may drop while walking in the hall, or while sitting in a chair, or while eating their meals.

By Chairman McCrum:

Q. They have no warning?

A. No warning. The epileptic mania may not have been very much excited, but it may strike them all at once.

By Senator Graham :

Q. Was Mr. Thumm of that kind ?

A. Yes, sir ; he was subject to them before and after he came here.

Q. How often do they occur ?

A. Oh, they occur sometimes three or four times in succession, within a day or two of each other, and then they would be three or four weeks apart, and possibly longer. We could make no calculation when he was going to have a paroxysm.

Q. He was sent here on the affidavit of a physician ?

A. Yes, sir.

By Mr. McKenna :

Q. I want to refer to the discharge of Dr. Sevin—was he discharged by the court ?

A. No, sir.

Q. Was there any difficulty about having him removed ?

A. No difficulty about it. When Mr. Walter gave an order for his discharge, he was removed.

Q. He was his legal committee and custodian ?

A. He was.

Q. He had a right to keep him here or anywhere else ?

A. Yes, sir.

Q. Did Mr. Walter, his committee, make any complaints about the man being treated improperly ?

A. No, sir.

Q. Did he ever write to you after his discharge referring to the kind of treatment ?

A. Yes, sir, he did ; that is the letter I received after his discharge.

Q. Then Judge Galbraith did not order his discharge ?

A. No, sir ; he had nothing to do with it.

Q. He was placed here by his committee, and he could remove him when he desired ?

A. Why, certainly.

Q. No outside friends had anything—

A. Anything to do with it.

Q. Did Mr. Walter, his committee, visit him often ?

A. Saw him occasionally ; he was here a number of times, just when I cannot tell you.

Q. Doctor, Doctor Sevin made some complaints that some delicacies, candies, fruits, or something of that kind, which were left here for him, he did not get. Do you know anything about that ? What are your rules in relation to them ?

A. Anything of that kind, sent by friends, pass into the hands of the supervisor, who gives them to patients in such quantities as will do no harm. If we get a whole box of fruits, and it were given to the patient at once, he would gorge himself.

Q. Do they require to be inspected ?

A. Yes, sir ; for the reason that poison may be introduced, and the life of the patient endangered.

Q. How ?

A. By interested parties, who might want to get rid of them.

Q. How would poison be introduced ?

A. It would be a very easy matter to insert a little prussic acid or solution of strychnia in an orange, by a hypodermic syringe, so that it would not be noticed.

Q. Would not that affect the orange ?

A. No, sir; it would not; the puncture would be so small you would not notice it.

Q. What was the occasion of that rule?

A. Well, my suspicions were aroused. We had a patient who had epilepsy, or what seemed epilepsy, and had been relieved from it, and passed a number of years without having a sign of a convulsion. Her husband visited her, on one occasion, after having been absent a year or more, and he brought one—no more than one—orange; he was plenty able to have brought her a box, but he brought her one orange, and gave it to her. She ate that orange, and within an hour she was in convulsions, in which she died. Draw your own inference.

Q. That circumstance led you to adopt the rule to inspect presents?

A. Yes, sir; so that I was wide awake from that on. The gentleman to whom the lady was married, married a woman who was his housekeeper, within six months after the death of his wife.

Q. During your management of this institution have you received any complaint from the attendants, supervisors, or patients, of the scarcity of provisions at any time?

A. No, sir—no, sir; I have not had for years any complaints from patients or attendants of the scarcity of food, or in regard to its quality, at any time. The attendants ate the same we had, and that the patients had; the farm employes ate the same food that the patients had, and other sane persons, and would complain, if there is any occasion for it.

Q. You will state, Doctor, in your visits through the wards of the patients, whether they showed any reluctance or hesitancy in speaking to you about their complaints or grievances?

A. No, sir, they do not; anybody who has ever accompanied me through the wards, will justify me in saying that the patients make kind of a holiday when I am with them; just in their freedom when they are with me; say what they please and do what they please.

Q. Have they the same freedom with Doctor Wylie?

A. Yes, sir; no restraint whatever, none whatever; the patients regard Doctor Wylie and Doctor Hutchison as very good and warm friends to them.

Q. And that is your policy to have them do that?

A. That is my policy to make them feel they are their friends.

Q. I understand you to say to Senator Hart that you had no system of punishment?

A. No system of punishment; if I ever discover an attendant adopting anything as a punishment, that attendant would be discharged.

Q. Doctor, do you know as a fact of the attendants in applying the strait-jacket or sleeves or in tying the knot, and they being required to tie the knots on the back part of the body?

A. No, sir; they tie the knot on the side of the patient, or on the front, of course; a knot tied on the back will hurt them.

Q. Provided they are lying down?

A. If they are lying down, of course; if they are standing up, it will not hurt them.

Q. And they with that knot walked about?

A. Why certainly, no trouble at all.

Q. Doctor, you may state now generally what you know about sane persons being incarcerated in this institution?

A. In twenty-six years I have never known a single sane person to be incarcerated in this institution.

Q. You have not known any in twenty-six years?

A. No, sir ; of a sane person being incarcerated in this institution ; I have known two or three applications for the admission of persons who were not entirely sane, but who, in my opinion, could be kept at home.

Q. How in reference to the inebriated ?

A. Inebriates are a different class from the ordinary insane people ; their insanity consists of a desire to drink liquor ; well, not that they are insane and could not be controlled properly.

Q. How do you admit those patients ?

A. Under the order of court ; under the sixth section of the act of 1863.

Q. You don't care to take that class without an order of court ?

A. No, sir ; we prefer to have that done under the sixth section of that act.

Q. It is a part of your duty as superintendent, when committed by order of court to notify them when they are sick ?

A. If discharged it is my duty to notify the court by which he is sent ; if by the overseers of the poor, I notify them, or some friend or official, or send word to some of the friends to remove the patient.

Q. If they committed a sane man for the purpose of their own desires to keep a sane man, what would be your action ?

A. I would discharge them after notifying him to remove him.

Q. Haven't you frequently notified the court ?

A. I have, the solicitor frequently going into court to make application for the discharge of a patient.

Q. So, then, it is your rule in your practice, as soon as a man's mental faculties are restored to your satisfaction, to procure his discharge whether his friends do or not ?

A. Yes, sir ; that is the rule. *

Q. During the period of your illness, when you were confined to the room during nine weeks, didn't you invest Doctor Wiley, the acting superintendent, with all the authority and power you had ?

A. Certainly ; he was the acting superintendent, consulting with me frequently as to what should be done ; I have the power to discharge patients ; he had discharged patients and attendants also during that time.

By Major Walker :

Q. You say that no sane person is confined in this asylum ; you have said so, but you don't mind it ?

A. I am obliged to you ; persons may remain here until their convalescence or recovery is assured, but such persons are only remaining until completely recovered.

Q. As soon as they are sane, you notify the proper friends ?

A. Yes, sir ; the idea I had in that answer that no sane person had been committed here as a patient.

Q. I desire to ask you a question : Is Paul a sane man ?

A. Well, he is in the house, but his nervous system is not restored so that he could control his desire to drink to excess.

Q. I am asking you a question as to his sanity ; is he insane ?

A. I don't think any man is sane who can't control his desire——

Q. I just ask you the question, is Mr. Paul a sane man ?

A. I don't think he is sufficiently sane to be at large ; no, sir ; I don't for his own benefit.

Q. Do I understand you to say that when Doctor Sevin sent letters from the asylum to his friends that they were all sent, except those to his son Julius ?

A. So far as I know they were all sent; I am not aware of any being detained.

Q. Letters that were sent from his friends outside—were they delivered to him?

A. So far as I know.

Q. Were they opened or unopened?

A. I don't recollect of ever opening any of his letters that came from his friends.

Q. You have stated one very wise and salutary provision, one of the rules to guard against suicide; isn't it possible for a friend of Doctor Sevin or any one else to inclose in a letter a deadly poison that could reach him?

A. Certainly; they might do so. I wish to state that there are no cells in the institution—not a room that has not a window in it. There is no cell in the ordinary acceptation of the term.

By Mr. Graham:

Q. Whom do you receive pay from for Nausteil?

A. We receive pay for Nausteil from Cambria county.

Q. How much per week?

A. Three dollars per week.

By Chairman McCrum:

Q. Do you receive pay from any other source in money for his support?

A. No, sir; none whatever. He is committed by the court of Cambria county, and his bills are paid by the commissioners of Cambria county to me, and there is no item of keeping paid for any other purpose; or if there has been, it will not be while I am superintendent.

THEODORE F. ZIMMERMAN, a witness who appeared before the committee, and being first duly sworn, testified as follows:

By Senator Hart:

Q. Where do you reside?

A. Johnstown, Pennsylvania.

Q. What is your business?

A. I am an attorney.

Q. Do you know Constantine Nausteil?

A. I do.

Q. Is he now an inmate of this Dixmont hospital?

A. He is.

Q. How long has he been confined here?

A. Of that I am not sure, but I think nearly two years.

Q. How long have you known Nausteil?

A. I have known him a great many years. I could not say how long.

Q. Have you visited him since he has been in the institution?

A. Yes; I have.

Q. Do you know anything about his commitment—on what ground he was committed?

A. Well, he was committed by order of our court of Cambria county, his wife being the prosecutor.

Q. Is he sane at this time, or insane?

A. That is more than I am able to judge.

Q. Please state to the committee the circumstances in which he was committed.

Q. I suppose what Doctor Reed most wanted me to say to this committee is this: When Naustiel was confined in our jail, awaiting trial, he sent word by some person to have me call, but I paid no attention, and after-

ward did, principally because I had known him a great many years. He is a German school-teacher of our town, and I called on him, and had scarcely got into his cell when he commenced telling me his troubles and his hallucination about his wife being unfaithful, and her having to do with other men, and has eatehed other men at the house, and things of that kind, and I came to the conclusion, from his own statement, with the fact of the charge that he was about to be tried for, I told him if I would be in court I would do what I could for him.

Q. What was he charged with?

A. I think it was an attempt upon her life. I was not in court during the time. After he was here in the hospital for some time, he wrote me. I first paid little or no attention to them, but subsequently corresponded with Doctor Reed in regard to him, stating that, if he was fit to be taken out, I would do all I could for him. After writing to Doctor Reed, he replied that he was very glad to have found some person who took an interest in Mr. Nausteil, and if these stories, as he states of his wife, were true, he should be released: he was a wronged man; if they were untrue, he was the opposite. I made a thorough investigation among their acquaintances, and especially among the ladies who have known Mrs. Nausteil a number of years, and they spoke in the highest terms of her as a virtuous, respectable, hard-working woman; that she has been going out to the cobble-pile of the Cambria Iron Works. She is the mother of six children. From that investigation I thought I ought not to remove him. I felt if I did an act involving so great consequences as releasing him, if anything should occur, I would blame myself.

By Mr. McKenna:

Q. Do you know, as a matter of fact, how he came here?

A. By order of court.

Q. He was convicted of the offense that he was charged with?

A. Yes, sir; and the court allowed him to come here, as I understand. I was told by a reputable attorney that he was allowed to make his own statement in court.

Q. And he was sent here by reason of insanity?

A. I suppose he was acquitted of the crime on the ground of insanity; as I stated before, I was not in court during the time of the trial.

By Mr. McKenna:

Q. When was that?

A. I think it was in 1881 or 1882—along there; I cannot tell when it was.

Q. Have you talked with them since he has been in the institution?

A. Yes, sir.

Q. Does he talk anything about those charges that he made against his wife?

A. Yes, sir; I talked to him especially to find out. I would like to do for him what I could, and I thought, if I got Doctor Reed's assurance, I would be willing to do anything to have him released. I went especially to him for that purpose. He talked very rationally about matters, and about Johnstown, but has an idea that his wife was unfaithful to her marriage vows, and had given birth to a child that he is not the father of; he still has the idea by her effort or paramour's; he has an idea that if the court sent him here, that it does not cost the county a penny. I had promised to get him released by the court; had done so, and, notwithstanding that, that our friends were keeping him in here.

Q. From what you know of the man, and his statement, and the circumstances surrounding his case, do you believe anything of the kind?

A. Well, from the investigation in regard to the truthfulness of these charges, I am told by people who speak very well of him, and, in fact, remember some affidavit which I have got in this matter, that speak very highly of him, and judging from them, I don't think there was any truth in his statement.

Q. Taking the general speech of the people?

A. The general speech of the people there in speaking, is very highly of his wife, and that there is no truth in the charges which he makes against her.

Q. Do you know who is paying for keeping him here?

A. No; I don't know to my own knowledge.

By Senator McNeill:

Q. You spoke about some affidavits?

A. They are affidavits here as to her good character.

Q. Have you got them?

A. I have.

[Here the witness produced the affidavits, and read the following from the affidavit of W. Horace Rose, in reference to the manner of which Nausteil is supported in this institution.]

"He was sent to Dixmont by the court at the charges of Cambria county, and it was shown to be dangerous to allow him at large."

JOHN HARPER, a witness called before the committee, who being duly sworn, testified as follows:

Examination by Major Walker:

Q. Mr. Harper, I wish you would state what official connection you have with Dixmont Hospital?

A. I am president of the Western Pennsylvania Hospital, which includes Dixmont.

Q. How long have you been president of the hospital?

A. I think about seventeen years.

Q. Mr. Harper, how often do you visit the asylum?

A. Well, I suppose now I don't visit on the average oftener than once a month; I used to come very frequently, but my health is not very good and I don't come so frequently now. I have entire confidence in the executive committee that have charge of the institution and they attend to it; I sometimes come when a member is away, to take his place and there is no person here to do it.

Q. How often does the board of managers come here, to your knowledge?

A. The board of managers, they hold their annual meeting here in January, and hold the election.

Q. How often do they come? That is all I care to know.

A. Once a year as a board, I mean the whole board of managers; at the quarterly meeting the board will come, but not the board of directors; the managers meet once a year; the directors meet quarterly, sometimes at Dixmont and sometimes in the city.

Q. Does the board of managers receive any compensation?

A. No, sir.

Q. Does the executive committee receive any compensation?

A. No, sir.

Q. Does any individual member of it receive any compensation?

A. I don't know that any one receives any compensation now. There was a period that the secretary received a small compensation.

Q. Do you remember what an amount it was—how much he received?

A. No, sir ; I don't.

Q. Have you an auditing committee ?

A. Yes, sir.

Q. How many of the members are on it—are they members of the board of managers ?

A. They would constitute the auditing committee—yes, sir.

Q. How many ?

A. Well, there is here—there are eight who audit the finances ; three generally ; sometimes there are four put down.

Q. How are the committee appointed ?

A. They are appointed by myself.

Q. By the president ?

A. Yes, sir.

Q. How often are the accounts audited ?

A. The accounts are audited annually at the time the report is made out.

Q. You say the auditing committee are appointed by yourself ?

A. Yes, sir.

Q. What are the duties of the auditing committee ?

A. The duties of the auditing committee are to examine the securities in the hands of the treasurer, and to audit his accounts for a year, and to write a report of what they have done.

Q. Were you ever on the auditing committee ?

A. Well, I have been on the auditing committee—

Q. I mean in the asylum, auditing the accounts here ?

A. Oh, yes ; I have been here at times—have taken part *ex-officio*.

Q. You are, then, familiar with the way the accounts are audited ?

A. Yes, sir.

Q. What classes of accounts are audited ?

A. Well, the bills for purchases. There is no auditing committee except the executive committee. I stated the auditing committee examined the treasurer's account, and the executive committee—

Q. I am asking this question to ascertain from you, as a member of the auditing committee, the process you went through in order to find out what the committee did.

A. Well, sir, examine closely every account ; and, knowing that the money was in the bank to the credit of the treasurer, they examined everything connected with the institution for a year.

Q. I will ask you, Mr. Harper, is the auditing committee and the executive committee one and the same ?

A. No, sir ; entirely distinct.

Q. You have stated here you were a member of the auditing committee.

A. While I was acting as *ex-officio*.

Q. Did you take any part of the examination of the accounts ?

A. Yes, sir ; we would carefully examine everything.

Q. You were a member *ex-officio* of the auditing committee ?

A. Yes, sir.

Q. What class or character of accounts did you audit ?

A. Well, we audited monthly all the bills of the institution.

Q. What are we to understand by the bills ?

A. I mean the purchases.

Q. Did you audit what was paid out ?

A. Yes, sir.

Q. And just what was received ?

A. We draw warrant on the treasurer for the payment of bills when we consider them just.

Q. You examine closely all moneys paid out?

A. Yes, sir.

Q. Did you examine minutely, so that you knew the amounts that were paid out to employés?

A. Well, there is a book in which the name of the employés is put down, and it is always examined monthly.

Q. So that all the examination you made so far is looking at the money paid out to employés?

A. No, sir.

Q. What else do you do?

A. Audit bills for the institution for articles purchased.

Q. I am speaking only of the fact of wages of employés?

A. That was audited when the warrants were drawn for payment.

By Mr. Graham :

Q. You had receipts of the employés?

A. We had receipts—of course their vouchers. Well, I will tell you : There is an executive committee appointed annually. The auditing committee audit accounts of the treasurer before the annual statement is made out. The executive committee have charge of the building and the affairs of the institution—the financial affairs—that is, everything with the exception of the auditing of the treasurer's accounts. There are two committees, and I would say further, that the accounts of the institution and the treasurer's account agree to a cent, and also that the account in the Bank of Pittsburgh, where the money is kept, agrees precisely with the treasurer's account and with the account made by the finance committee. The affairs of the institution—the financial affairs—are not complicated, but they amount to a large sum of money. The details I could not go into, but everything is examined ; at least the executive committee are perfectly satisfied with the integrity of all they do.

[Here the following affidavit of Doctor Mowry and Mr. Gallagher was read.]

Affidavit of Doctor R. B. Mowry and Doctor Thomas J. Gallagher.

R. B. Mowry and Thomas J. Gallagher, practicing physicians of Allegheny county, being duly sworn, depose and say : That pursuant to appointment of the joint committee of the Senate and House of Representatives of Pennsylvania, now investigating Dixmont Hospital for the insane, they did at Monongahela House, Pittsburgh, on Friday, February 3, 1883, in connection with Doctor Lashell, of Meadville, Pennsylvania, also appointed by said committee, examined the person of A. P. Hopkins, a witness before said investigating committee, who testified that one of his ribs on left and one on right side had been broken by brutal treatment whilst at Dixmont hospital as a patient about nine months ago. Deponents respectfully report on their own behalf, and that of their colleague named in such examination, that from a close examination and inspection of the body of said Hopkins, and of the ribs alleged by him to be broken, that they found no evidence whatever of any such injuries to the ribs or body ; or that they had ever been broken, and on the contrary they found every evidence of the same being sound, strong, and healthy, the said Hopkins being an unusually robust, vigorous man, with no bones broken, as alleged.

R. B. MOWRY, M. D.,

THOMAS J. GALLAGHER, M. D.

Sworn and subscribed before me this 28th day of February, 1883.

J. J. McCrum,
Chairman.

Doctor T. J. GALLAGHER, a witness, appeared before the committee, who being duly sworn, testified as follows :

By Major Walker :

Q. Would it be possible if the ribs of Mr. Hopkins, which he alleged to have been broken, to have so healed that you would not have been able to discover it ?

A. I think not in the time he alleges.

Q. What was the time ?

A. Between nine and ten months.

Q. Would you say, professionally, you would be able to discover it within that time ?

A. Yes, sir.

Q. You find no evidence of cruel treatment or abuse of any kind ?

A. No evidence of cruel treatment ; no evidence of a fractured rib.

Q. You only examined so far as the fractured rib was concerned ?

A. And the soundness of the parts around the lungs, which he asserted was broken, were perfectly sound and healthy.

Q. Are the contents of this paper as it has been written here true, to the best of your knowledge ?

A. Yes, sir.

Q. Doctor, how long have you been a practicing physician ?

A. Over thirty-six years.

Q. Are you a graduate of a medical college ?

A. I am of the University of Pennsylvania.

By Mr. McKenna :

Q. Did you examine Mr. Hopkins' ankle ?

A. Yes, sir ; we examined it but not closely.

Q. Could a man break his limb and set it himself in such a manner as to produce a perfect joint, and prove to his having performed such a very fine surgical operation in setting that limb ?

A. Why, said I to him, " That is a credit to your surgery," and went on to say that it would give him a grand reputation to have a fracture such as that and have no vestige of a fractured rib.

R. B. MOWRY, a witness who appeared before the committee, and being duly sworn, testified as follows :

By Major Walker :

Q. You assisted in the examination also ?

A. Yes, sir.

Q. Do you think it possible from the length of time that has elapsed since the alleged injury until the time you made the examination that the wound could have healed so that you could not be able to discover they were broken ?

A. There is a great difference between possibly and probably ; I would not like to swear to anything possibly, but we would say it is not at all likely.

Q. Well, could it happen ?

A. I don't think it would happen, because there would be evidence of an old fracture in that length of time.

Q. There would be evidence of that ?

A. Yes, sir.

Q. The contents of this paper that you have read here—are they true, to the best of your knowledge and belief ?

A. Yes, sir.

Q. Doctor, how long have you been practicing ?

A. Since 1836.

Q. You are a graduate, are you?

A. Yes, sir.

Q. Of what college?

A. Jefferson college. We examined this man, and found that he had a very capacious chest, and told him that he might live until he was eighty-five years of age.

Q. Did the appearance at all indicate an insane man?

A. That is just what we thought, that he was laboring under a delusion.

Q. What led you to believe that he was insane?

A. As Doctor Reed—his whole making up. In the first place he said, “Why didn’t you cut it open; cut it open and see?”

Q. Did you see his testimony before the commission?

A. I believe I read a part of it.

Q. Do you consider it as lucid and clear testimony?

A. I look upon such testimony of a man laboring under a delusion that he is insane, and had received this impression while he was insane, and they still hankered him.

Q. Did he say in his testimony before the commission that his ankle was injured in the asylum?

A. I don’t remember.

Q. Have you had any experience whatever in the treatment of insanity?

H. Well, I have seen a good deal of insanity in my time; I attended at one time an insane asylum, the first one that was west of the Alleghany mountains. Mr. Graham can tell you something about that; we used to have some forty patients in there from different parts of the country.

On motion of Senator Hart, adjourned to meet at Harrisburg, on Thursday evening, March 1, in the Senate committee-room No. 4, at seven o’clock, P. M.

And now, to wit, Harrisburg, March 1, 1883, committee met in Senate room No. 4, at half-past seven, P. M.

All members present, and a joint resolution was drawn up asking for an additional appropriation of five hundred dollars for committee expenses.

Adjourned, to meet at Dixmont on next Monday, March 5, A. D. 1883, at one o’clock, P. M.

And now, to wit, at Dixmont, pursuant to last adjournment, committee met.

Present: Senator McNeill and Representative Graham; C. F. McKenna, of counsel for respondent, and witnesses, and the hearing of testimony proceeds.

WILLIAM HARPER, a witness appearing before the committee, and being duly sworn, testified as follows:

By Senator McNeill:

Q. Mr. Harper, were you employed as an attendant in this institution?

A. Not at present.

Q. Have you been?

A. I have been; yes, sir.

Q. When did you come here first?

A. I came here in 1879.

Q. How long did you remain here?

A. I remained some eight months, I believe.

Q. While you were here did you know J. W. Carroll?

A. Yes, sir.

Q. When did you see him? Did you see him when he arrived?

A. I didn't see him when he arrived at the institution.

Q. How soon afterward?

A. I saw him soon afterward.

Q. How soon?

A. The same day.

Q. Did you see him insane when you saw him first?

A. I did.

Q. What condition was he in when you saw him first? Had he a strait-jacket on?

A. He had a pair of muffs on—hand muffs.

Q. Just describe them.

A. Leather muffs, to confine the wrist.

Q. Were those muffs on him when he arrived?

A. I didn't see him when he arrived—I didn't see him.

Q. Did you consider that it was necessary to restrain him that way at the time, from his appearance?

A. Yes, sir; most assuredly.

Q. Did he show any violence toward you, or attack you, in any way?

A. Yes, sir; he kicked me immediately after his entrance in the ward. He said, "You are a nice-looking devil; you look just like Bob Ingersoll;" with that he kicked me in the stomach.

Q. That was your first introduction to him?

A. That was my first introduction.

Q. He could not do anything more but kick you, since his hands were confined?

A. He did the best he could.

Q. How long did he remain in that violent state of mind?

A. Well, different grades of violence. He was more or less violent the entire time he was in the ward, but he remained for a couple of days—several days—violent.

Q. Did you give him any medicine at that time?

A. Dr. Wylie sent him some medicine in, and I attempted to give it to him, when he seized the glass in his teeth, and clunched at the corner of the glass. I failed to administer the medicine on that account, whereupon the matter was reported to Dr. Wylie or Dr. Reed, for all I know. They sent some medicine in to me again to administer to him, and after me tasting it to assure him that it was all right, we administered it to him in a tin in order to prevent him from breaking another glass and spilling the medicine.

Q. Did you get him to swallow it then?

A. Yes sir; we got him to swallow it then, after me assuring him by tasting.

Q. Did he seem to think it was something that would injure him?

A. I could not tell what he thought.

Q. Did he talk violently?

A. He talked both violently and acted violently.

Q. What time of day was that?

A. In the evening.

Q. Did he have a bed in the room that you left him in that night?

A. Yes, sir ; he had a bed and covering, sheet and everything complete.

Q. What ward was he in ?

A. That was the eighth ward.

Q. Was the room damp or cold that he was in that night ?

A. No, sir ; the room was dry. There was no damp room in the ward. The room was dry and comfortable.

Q. No damp room in the ward at all ?

A. No, sir.

Q. What would be about the degrees of heat in that room ?

A. I had no direct means to judge or direct means of telling heat except by my own sensation, and it appeared to me to be agreeable and comfortable.

Q. That ward is usually as comfortable as other wards ?

A. Certainly, it is as comfortable.

Q. Did you ever unnecessarily abuse Mr. Carroll in any way ?

A. No, sir ; never did.

Q. Did you ever abuse him at all ?

A. I never abused him at all.

Q. When he kicked you that time, you didn't retaliate ?

A. No, sir ; no, sir ; he was placed in that room then.

Q. Then state all he did when he kicked you.

A. Why, I just laughed at him, and put him in the room.

Q. Did it not take some force to put him in the room ?

A. It took some force, certainly. How else were we to get him in the room, and him kicking might and main ?

Q. He says that he was thrown down and held by Lovell.

A. Well, with regard to the patient Lovell striking him, he struck Lovell at another time afterward.

Q. Lovell was the other attendant that was with you ?

A. He was not.

Q. Did any other attendant abuse him while he was in the eighth ward ?

A. There was no attendant abused him at all.

Q. You saw him all the time he was in that ward ?

A. All the time I was attendant ; all the time he was in the ward.

Q. How long was he in that ward ?

A. I cannot really tell to a day how long he was in.

Q. What do you consider that ward ? Isn't that the ward you put the most violent patients in ?

A. Yes, sir ; violent patients are put in that ward.

Q. How did he compare with other patients in that respect ?

A. Well, he was one of the most violent and dangerous men that I ever had the misfortune of dealing with ; one of the most desperate men that ever, that ever I dealt with in my life—quarrelsome.

Q. His quarrelsomeness didn't last very long, did it ?

A. Yes, sir.

Q. In his testimony he says, on the third morning that he had made up friends with you or the attendants.

A. He was continually involved in contentions with the patients in the hall, at the time he left, more or less.

Q. Do you remember how long he was in that ward ?

A. I don't remember how long he was in.

Q. Do you know of Mr. Carroll being put in a room where there was a damp floor ?

A. No, sir; me nor no one else in that ward, or any other ward that I ever knew of.

Q. Did you ever abuse any other patient in that ward than Mr. Carroll?

A. I never saw a patient abused.

By Mr. Graham :

Q. You say you never did, or you never saw any one abused?

A. I never saw any patient abused.

Q. You mean to say that you never saw a patient abused; never abused a patient in the institution; is that what you mean to say?

A. That is what I mean to say.

By Senator McNeill :

Q. Did you ever have bad feelings toward Brown?

A. Well, Brown and I were not friends at all.

Q. That didn't interfere with your treatment of the patient?

A. It did not interfere with our treatment of the patients; our private quarrel of course would not interfere with the treatment of patients.

Q. How did that bad feeling arise between you and Brown?

A. Well, on general principles.

By Mr. Graham :

Q. Who was Brown?

A. Brown was an attendant with me.

Q. Were Brown and you together in the same ward?

A. Yes, sir.

Q. Have you ever known patients to drink their own urine?

A. Yes, sir; I have. I have known them to do it quite frequently, and the spring-room door standing open at the time, where they had every opportunity of getting fresh water. It was their perverted taste.

By Mr. McKenna :

Q. You say the spring water would be within reach of them?

A. Yes, sir; within reach of them; the door was always open ready for them to drink.

By Senator McNeill :

Q. This spring water was always within reach of them?

A. Certainly it was. I have known patients to take up the chamber pot and drink their own urine out of the chamber pot.

Q. Had they any reason for it?

A. Why, their own depraved or perverted taste.

By Mr. McKenna :

Q. There was no necessity for it?

A. No necessity; just their depraved taste. I have known them to pick up juice of tobacco out of the spittoon and put in their mouth.

By Senator McNeill :

Q. Have you any patients that plastered themselves with their own excrement and filth?

A. Yes, sir; Mr. Carroll did that, and also plastered the walls of the room.

Q. That was the first night he was in there?

A. Yes, sir; he divested himself of the strait-jacket, and smeared the walls of the room.

By Mr. McKenna :

Q. Do you mean that he broke the strait-jacket?

A. He broke it, and worked it off him, a thing that is frequently done.

By Senator McNeill :

Q. Did he have a bedstead to sleep on?

A. He had a bedstead, but Doctor Wiley removed the bedstead out of the room, and put a soft mattress there, and bed-clothing, and everything requisite, on account of his violence, for fear that he might break loose during the night and do himself injury, and break the windows and make his escape.

Q. He took the bedstead out for that purpose?

A. Yes, sir; he took the bedstead out for that purpose.

Q. So that he could not do any damage?

A. And not do any damage, but left a mattress, a sheet, and all that applies to a bed.

By Mr. Graham:

Q. You are positive there was a bed in there? He testified the first night he was left without bed or clothing.

A. He was left that way no night. There was no night that he had bed.

By Senator McNeill:

Q. He said he had no chamber.

A. He had a chamber, but he broke it and smashed it.

Q. He testified that he was left there without any, and, therefore, he had to use the corner of the room.

A. No, sir; there is one that is left every morning.

Q. And that when you came in the next morning, and saw what he had done, that you jumped on him and swore at him?

A. I never did; I never curse or swear at any patient.

Q. And he was provided with both a bed and chamber?

A. Both a bed and chamber.

By Mr. Graham:

Q. How often was Mr. Carroll's room cleaned when he occupied it?

A. His room was cleaned out every time it was filthy.

Q. How frequently did that occur?

A. I cannot say how frequently, but quite frequently.

Q. You can give an approximate idea?

A. No, sir.

Q. Was the room not cleaned out every morning, whether in a bad condition or not?

A. It was not in a bad condition; the room was always in a clean condition.

Q. Swept out?

A. Swept out every morning.

Q. And scrubbed out?

A. Scrubbed out nearly every morning, when Mr. Carroll was in.

Q. In his testimony he stated that he was only three nights in the room, and at the end of three days he was taken out. He said that he made arrangements with you that you would not abuse him as he would do whatever you wanted, and that you took him to the bath-room and combed his hair.

A. That is simply the attendant's duty. They are always washed every morning after wearing the strait-jacket or sleeve.

Q. Do you know anything about the whiskers being pulled out?

A. I know nothing about the whiskers being pulled out, but I know of him grappling at his throat, tearing it, and said, "the devil was in his throat," and he wanted me to take a knife and cut it out, that he was in his throat.

Q. Did you ever make a scratch or anything on his face?

A. No, sir; he never was marked.

By Mr. Graham :

Q. His brother testified that when he took him away that he examined his throat and that there were three black marks on one side and one on the other, as though it had been done by a hand in grappling or choking Mr. Carroll.

A. I never saw the marks on his throat. I saw the plaster on his back and some little contusion on his arm that he had made with his violent jumping and throwing himself against the wall while he was confined.

Q. He also testified, so does his brother, that recently a plaster had been placed on his shoulder and that the spot was quite sore when he came to the institution and was taken in the bath-room, and that sore place rubbed with a flesh brush, causing him pain.

A. Immediately after his entrance?

Q. Yes, sir.

A. He was not under my jurisdiction ; I saw nothing of that.

Q. He was not put in your ward when he first came?

A. No, not immediately.

Q. Did you ever use a flesh brush?

A. Never used a flesh brush at all.

Q. Never had a flesh brush at all?

A. Had a sponge and towel.

By Mr. McKenna :

Q. Did you ever see the flesh brush at all in the institution?

A. I never saw one in the institution. There may be, but I never saw one. I am certain that there was none in my own ward.

Q. How did they bathe the patients that you saw?

A. Put them in a bath and water.

Q. You had a sponge and towel?

A. Sponge and towel and bath, just like any bathing places anywhere.

By Mr. Graham :

Q. You just speak of your own ward?

A. My own ward that I saw.

By Senator McNeill :

Q. In what condition was Mr. Carroll when he left your ward?

A. Well, he had subsided somewhat, but he was excitable still.

Q. Did Mr. Carroll ever use any violence or attack you except one time—I have asked you more than once—violently?

A. Yes, sir ; he attacked me more than once ; when opening his cell one morning he attacked Brown and struck him in the nose, the first thing after he was placed in the cell ; after they opened the door there was a noise in the cell and Brown went down to see what was the matter, I was standing at the attendants' door ; he opened the door and then he struck him right in the face, as near as he could on the nose ; his nose bled. He said " Help." I locked attendants' door, went down, and seized him, and he struck a patient by the name of Lovell and Lovell kicked at him, and was told to stand back, which he did. There was no attendant by the name of McConnell. There was three of us put a strait-jacket on him, and that was the time he got the muffs off.

By Mr. Graham :

Q. Did you ever see him knocked down, kicked, beaten, and jumped upon.

A. No, sir ; I never saw him or any patient knocked down, and jumped upon, and kicked.

Q. He testified that food was insufficient ; what do you know as to the kind and quality of food that he got, and all the patients?

Q. Well, they fared just exactly as we did, except when the doctors would see fit to send them up some extras which we did not get. That is the way they fared exactly.

Q. Was the food of good quality, abundant in quantity?

A. The food always was of good quality.

Q. There was testimony here, by one of the ladies examined, that the sugar was of such a quality that it would make her sick.

A. It was—I am not a judge of sugar. It was good white coffee sugar.

Q. Did you ever have any brown sugar?

A. Never had any brown sugar in my ward.

Q. One of the ladies testified that the meat was tainted.

A. There was no tainted meat which was too bad for me to eat.

Q. Was it tainted at all?

A. It was not tainted at all.

Q. Was there plenty of it?

A. Plenty of it.

Q. Have you any recollection of Mr. Carroll calling to you from the end of a window not to abuse a patient? He testified, if I recollect—I am only speaking from memory—that he saw you abuse a patient violently, and that you was white with rage, and he called you to desist from it.

A. I never saw Mr. Carroll after he left the ward; never saw him; never saw him from that day to this, after he left my ward.

Q. Did any such occurrence ever transpire?

A. No such occurrence ever transpired.

Q. Have you ever been attacked in any way by any of the patients?

A. Well, I should think I have. I have been knocked down by them often; choked by them. I was choked one time very severely. There was a man named Thompson struck another patient in the hall; it was about the dinner hour; the dining-room man was in the dining-room for dinner. I thought I could put a strait-jacket on him to prevent him from striking anyone else. We took the strait-jacket and started down the hall. Here Thompson and he started into the room where the knob was on the outside of the door and none on the inside. Somehow or other he swung the door shut and jumped in with me. I thought still I could put it on him, but he took me by the throat and threw me. He was a very powerful, wiry man, more so than I am, strong and muscular, and in the last agony of suffocation I turned him over. I had no sooner turned him over than he turned me on my back again. A patient heard the noise and ran in and jerked him off of me, and another patient ran up to the hall calling the other attendant in the dining-room to my relief, and it is well that he did.

Q. Can you assign any reason for the patients' enmity or ill-will or violence toward you?

A. I think I can. We are obliged to put them under restraint in their wildest moments, and to put muffs on them or the strait-jacket. I never saw one of them come up voluntarily to have the strait-jacket put on them. Most assuredly, they do not bear us any good-will.

Q. Have you any knowledge of the patients' being excited by the talk of Mr. Brown in talking to them?

A. While he was talking to them, for instance, he would go to a patient that would have lucid intervals, and this patient would pour his grievances into Brown's ears, and tell him all the conspiracies his friend had done to get him confined in this institution, and he would pity them, and come down to me and say, "There is that man just as sane as I am, and Doctor Reed ought to be there for allowing him in the institution," and it would

not be more than two or three days before that patient would have an outbreak, and that was his general way.

Q. What do you mean by having an outbreak?

A. Having a violent paroxysm. Some of them have lucid intervals.

By Senator McNeill:

Q. Have you any idea that Brown suggested them using violence toward you?

A. Well, I do not.

Q. No idea that he suggested it?

A. I don't know that he did. I don't positively know that he did. I know that they always spoke to him and went against me, and that just says, if a man was very dangerous he would not attempt to put the strait-jacket on unless I would pitch in and clinch him. He never, I thought, tried to do his duty in the ward.

By Mr. Graham:

Q. Did you consider Mr. Carroll sane when he left your ward?

A. No, sir; he was still excited, though not so bad as he was on his admission in the ward.

Q. He said himself that he was well treated the third day that you asked him to the bath-room.

A. Well, I stated before he never had the strait-jacket or muffs on him after a few days. I suppose that is what he means. Which is the only abuse that he got putting them on—if you call it abuse—for restraint.

Q. Was it put on as a punishment, or was it put on as a means of restraint to prevent him from injuring himself or others?

A. It was put on as a means of restraint to prevent him from injuring himself and others.

Q. In putting on the strait-jacket and mufflers, did you use more force than was necessary to accomplish that purpose?

A. We didn't use any more force than was necessary.

Q. They generally resisted having them put on?

A. I never knew a patient coming and asking me to put on the muff or strait-jacket. They don't do that. I had to put them on myself. For instance, I would like to see any of you men put a strait-jacket on me if I didn't want it on, and your hands be bound, and you dursn't strike a patient or hurt them. I would like to see you do it.

Q. Had you orders to deal gently and not to abuse them?

A. I had. I held my position on that condition.

Q. If there was any undue severity used, you say, then, it was a violation of your instructions?

A. It was in violation of my instructions.

Q. How often did Doctor Wiley and other physicians that were here visit that ward—how many times a day visit that ward?

A. They always did three times a day, and often more.

Q. When the Doctor went through the ward, did those patients always continue freely to speak to them?

A. Yes, sir; if the patient had any complaints to make, all he would have to do was to speak to the Doctor, and the Doctor would take him into the room and talk to him, and ascertain whether he had any cause for complaint, and what the complaint was.

Q. Had the patient access to the Doctor to tell him without you hearing him?

A. Certainly; he always had.

By Mr. Graham:

Q. Did you put on the strait-jacket always at your discretion or in the order of the physician?

A. It was in this way: It was after the orders of the physicians, but when you was in eminent peril we could put the strait-jacket on, and then immediately report to headquarters. That is the way it was.

By Senator McNeill:

Q. You mean by that that it was necessary to do it immediately?

A. Yes, sir; it was necessary to do it without him, without an order, and then to report it.

Q. Then the Doctor would come to see him?

A. Yes, sir; the Doctor would come to see him.

By Mr. Graham:

Q. If the Doctor disapproved of your putting them on, they were then removed?

A. Then removed.

Q. Did that ever occur?

A. This has occurred. Yes, sir.

Q. Are you employed in the institution now?

A. No, sir; not at present.

Q. How long were you in the institution?

A. I do not remember exactly; I suppose about eight months.

By Mr. Graham:

Q. You are not in the institution now?

A. No, sir.

Q. Have no connection whatever?

A. No, sir.

Q. No interest now, directly or indirectly?

A. In no way whatever.

Q. From what you saw in the eight months here, you would say that the patients were subjected to cruel treatment?

A. I cannot candidly say that.

Q. What is your opinion as to the treatment; were they kindly treated?

A. They were kindly treated, humanely and uniformly.

Q. Were the patients frequently taken out for air and exercise?

A. Yes, sir; they were.

Q. Was Carroll taken out?

A. Mr. Carroll was taken out.

Q. How often while he was here?

A. As often as the rest; I don't remember how often. We took out so many at a time walking, and then more; that was the way that all that was in the ward fit to go out went out; they went out at short intervals; we could not take all the ward at one time.

Q. Then, in your judgment, during your eight months' experience, the patients had an abundance of food of good quality?

A. Yes, sir; abundance of food and quality.

Q. The treatment was uniformly kind?

A. Yes, sir; yes, sir; I think so; I am sure of it.

Q. Had you sometimes, or at any time, to force a patient to take food or medicine?

A. I never forced them to take medicine; never forced them to take food; that was the doctor's province.

By Senator McNeill:

Q. Had you patients frequently there that did not take victuals regularly?

A. I made such.

Q. Wouldn't they soon get over that when they would get hungry?

A. No, sir; not always then.

Q. You reported a case of that kind?

A. Certainly we did.

By Mr. Graham:

Q. When a patient refused to eat, what treatment did you subject them to?

A. Well, the attendants would try to induce them to eat, and if they could not they would send for the doctor, and he would use his own discretion whether he would feed them with a tube or what he would do.

Q. The doctor, then, controlled the food that was given them—the feeding of them?

A. Yes, sir.

By Mr. McKenna:

Q. Mr. Harper, when did you terminate your connection with the institution?

A. 1879.

Q. How—did you resign?

A. Yes, sir; I left.

Q. You mean to say that you resigned?

A. Yes, sir; and left of my own option.

Q. What business have you been engaged in since?

A. In the brick business.

Q. In Pittsburgh?

A. In Pittsburgh; yes, sir.

Q. State, Mr. Harper, when you were employed as an attendant here, what instructions were given you respecting the treatment of patients, both those that were mild and those that were refractory—who gave you the instructions?

A. We got our instructions from Dr. Reed and his assistants.

Q. What were those instructions concerning treatment and humoring of the patients?

A. Well, the instructions were, as near as I can remember, that we were to treat them as kindly as possible, using forbearance. We were told they were not responsible for their acts, and if a patient should strike us not to strike back; we were told not to strike him except in self-defense. If you were so cornered up, and the patient striking you and choking you, we were allowed to defend ourselves.

Q. Can you state whether, in your observance of the rules here, you fulfilled those instructions?

A. I fulfilled them.

Q. During the whole period?

A. During my connection with the institution.

Q. You may state what punishment was inflicted upon an attendant if they wantonly violated those rules.

A. I never saw it done.

Q. What were the conditions of your appointment—what were you given to understand if you did not treat them kindly and humanely?

A. I was given to understand that I was to be discharged. My services would not be required any longer from that date.

Q. Then you had no discretion in the matter?

A. No discretion in the matter whatever.

Q. Mr. Carroll testifies that he was left unconscious upon the floor after being kicked by you. Do you remember anything of that?

A. That didn't happen.

Q. He said he was kicked by you, and that you had very heavy boots on.

A. No, sir; I never owned a pair of boots while I was in the ward—never owned a pair of boots while I was here.

Q. You had hob-nailed shoes?

A. [Laughter.]

Q. What did you wear?

A. A pair of common slippers.

Q. He said, at the same time, that you were a spectator, and, in addition to abusing him about the body, that some of the patients seized him by the privates.

A. No patient ever seized him while I was here?

Q. No injury was done to him there.

A. No, sir.

Q. Mr. Harper, you saw him before he left your ward; did he make any complaints of injuries on the side or privates?

A. No, sir.

Q. You say he was improved somewhat?

A. Yes, sir; he was improved somewhat; he was excited, though, in his general demeanor.

Q. You mean he was not so violent?

A. Was not so violent.

Q. Did you address profane language to him?

A. I never did, nor to any patient. I was not addicted to the use of profane language.

Q. You were in the eighth ward during the entire time he was?

A. Yes, sir; I was.

Q. Do you know of Dr. Wiley visiting him, and administering medicine to him?

A. Yes, sir; I know of him visiting him.

Q. You can state, Mr. Harper, whether there was any punishment inflicted upon Carroll or any other patient as punishment.

A. There is no punishment inflicted upon any patient, to my knowledge.

Q. No matter what his conduct is?

A. No matter what his conduct is. There was no punishment inflicted.

Q. You say the night he was in there you did supply him with a chamber, and that he smashed it?

A. Yes, sir.

Q. Made figures on the wall?

A. Yes, sir; made figures on the wall.

Q. Did you use this language to him when you came into the room: "G—d d—n you! what did you do that for here?" (meaning the breaking of the chamber.)

A. No, sir; I made no such remark. I was used to scenes of that kind; that was nothing unusual.

Q. Did he say to you, "Why did you not leave something in here for me then?"

A. He did not say that; he had no reason to say that, for there was a smashed chamber in there.

Q. Did you say there was no abuse inflicted on him by yourself? How many persons were in that section? He said Brown, Lovell, and yourself—how many were there?

A. There were three attendants.

Q. Who were they?

A. Brown, McConnell, and myself.

Q. He said there was a patient who assisted.

A. The patient had nothing to do with that. The patient was standing back and he kicked at me.

Q. He said that you three came in, and he was knocked down. Brown was standing at the door, and Lovell and Harper were kicking him.

A. That is not so.

Q. Who put the strait-jacket on him?

A. We three—Brown, McConnell and myself.

Q. Did you say, "G—d— take that off if you can?"

A. No, sir.

Q. Did you put a straw tick in that night?

A. We put in a bed with a sheet and pillow-case, and everything that applies to a bed.

Q. He said that you threw in a tick, and let him lay there all night.

A. We made a comfortable bed for him.

Q. You say you did give him bed-covering also?

A. Yes, sir.

Q. Did you, or do you remember of taking him the next morning to the bath-room, and that his whiskers were all filled with blood?

A. I never saw his whiskers filled with blood.

Q. Did you see him taken to the bath-room the next morning?

A. I think I saw him, and that I was there.

Q. You did not see any of them kicking him at all?

A. There was nobody kicking him at all.

Q. You are positive about that?

A. I am positive there was no kicking him.

Q. He said that his mind got better after that.

A. I don't know anything about his mind. I know that he was excited when he left.

Q. He said that this injury to his privates was not done by one of the attendants, but by one of the patients.

A. No patient had hold of him, to my knowledge.

Q. He said there was no bed nor blanket in the room that he was in; what was in there?

A. Good bed—and comfortable, too.

Q. How many rows with other patients did this man cause in your ward?

A. I could not count the exact number of rows; he was a very quarrelsome man, disputing continually, and always involved in disputes with the patients.

Q. Do you remember the disturbance that he had in the dining-room when he took up the chair?

A. That was not in my ward.

Q. Tell us about that.

A. I didn't see it.

Q. You was going to describe another one?

A. I was going to describe a fuss that we had. The mode that he had of doing was, that when a patient was sitting down to argue with them about their various peculiarities, and involving himself in a fuss.

Q. Do you remember of rhubarb being administered to him? He said that was a favorite prescription. Do you know anything about that or not?

A. I am not supposed to be a judge of medicine. I administered medicine to him. I don't know what it was. I know nothing about the medicine.

Q. Do you remember about his clothing being torn off?

A. I remember of his having a tendency to divest himself of his cloth-

ing, and remember of him continually tearing his own clothing. In fact, he would have divested himself altogether of it had it not been for the attendants.

Q. Was he disposed to make himself naked?

A. Yes, sir.

Q. Then it was not by the attendant?

A. No, sir; no patient was divested of their clothing except when he is going to the bath-room.

Q. He said that after the second morning he became rational—he was all right.

A. I never saw him all right.

Q. Until he left?

A. I don't know what he was when he left. I didn't see him.

Q. Do you remember of him making a bargain that if you did not abuse him he would act all right?

A. There was no bargain made. That was a pretty idea for me to make a bargain with a patient.

Q. You say, now, it took three attendants to put a strait-jacket on him. Describe the resistance he made.

A. Kicked, struck, and hit us might and main. I could describe it very perfectly.

Q. Did he bite?

A. He attempted it, but we were too fly for him, and kept out of his way.

Q. Did you see Doctor Wiley paying attention to this man?

A. I saw him paying attention to every man in the ward, and I saw him pay attention to this man particularly.

Q. Particularly?

A. Well, every patient in the ward.

Q. You may state your recollection, if you know, of meals being carried to this man in his room—food being carried to his room.

A. Why, I fed him one time.

Q. Why?

A. Because he had a strait-jacket on at the time.

Q. It is not customary to take a patient, who had a strait-jacket on, to the dining-room?

A. No, sir; it is not.

Q. Not customary?

A. No, sir; they will not have the strait-jacket on unless they are very violent, and we do not bring violent patients to the dining-room.

Q. You may state, if at night one of these patients desired and wanted assistance, whether or not it is the attendant's duty to get up and attend to him?

A. Yes, sir; and I always did so.

Q. You always did so?

A. Yes, sir; many a time I have got up at night and turned over patients who were subject to fits and liable to suffer. I would hear them crying, "Get up and turn me over."

Q. That was one of the rules?

A. Yes, sir.

Q. Other attendants, too?

A. Yes, sir.

Q. It was part of your instructions?

A. Yes, sir.

Q. Was your room so located that you could hear your patients?

A. Yes, sir.

Q. You say you often got up at night?

A. Very frequently; scarcely ever a night passed that I did not.

Q. Did you ever see a patient struck with the keys?

A. I never saw a patient struck with the keys.

By Mr. McKenna:

Q. Or a strap?

A. I never saw a patient struck at with the intention of injuring him.

Q. Who was the supervisor of your ward?

A. Mr. Caldwell was the supervisor of the whole male side.

Q. What would be your duty, before you retired at night, in reference to seeing the patients?

A. Well, it would be our duty to see that their clothes would be outside of their room, the chairs, and such things as they could break; to see that their doors were locked, and if any one was sick or ill to see how he was. It was our duty to see that he was comfortable.

Q. To see that he was comfortable?

A. Yes, sir.

Q. Was that duty performed by other attendants, so far as you know?

A. So far as I know. I know very little except of my own ward.

Q. How many attendants were in your own ward?

A. Three.

Q. In reference to tying the strait-jacket on, what were your instructions as to where the knot should be?

A. My instructions were to make the knot on the side if the patient was lying on his back.

Q. Was that the rule?

A. That was generally done to my knowledge.

Q. What is your recollection about Mr. Carroll being strapped down to his bed? Had you any instructions from Doctor Wylie on that subject? When he got calm the strait-jacket was put off?

A. We had instructions not to tie him to the bed.

Q. Who do you get your instructions from?

A. Doctor Wylie.

Q. What time are you required to get up and look after the patients?

A. At half-past five o'clock.

Q. What are your duties in the morning after you got up?

A. To get the patients up and see them bathed. One man sees to washing their faces, and combing their hair, and getting them in a presentable condition.

Q. Your duties would be to visit the patients, unlock the door, and let them out, so they could properly have their faces washed and their hair combed?

A. Yes, sir.

Q. Was that rule enforced on all patients?

A. Yes, sir.

Q. Did you ever know Mr. Carroll to be neglected?

A. I never knew him to be neglected.

Q. That rule was rigidly observed; at half-past five o'clock you would open the door?

A. We were called up at half-past five in the morning.

Q. Did Supervisor Caldwell visit the ward during the night, before the patients retired?

A. Yes, sir; he visited the ward every night at nine o'clock, and sometimes twice.

Q. Is not that person to see that attendants were at their post?

A. Yes, sir; and, I presume, at other times, to see if he could catch any of them napping.

Q. That was his position—to be on guard?

A. Yes, sir.

Q. Was he up in the morning?

A. Yes, sir; and very unexpectedly sometimes.

Q. You may say, in conclusion, Mr. Harper, about the treatment of Mr. Carroll—and I think, probably, you did answer it to Mr. Graham—whether any more force was used than was absolutely necessary to restrain him from injuring himself or any other patient.

A. There was no more force used than was absolutely necessary to restrain him from injuring himself and other patients.

Q. You positively say there was no kicking?

A. No kicking, or any patients struck at, at all.

By Mr. Graham:

Q. You don't know anything, personally, about pulling his beard out?

A. I saw him pulling at his own beard; I never saw a person pulling his beard.

Q. Would a patient have access to water at all times for drinking purposes?

A. We had the spring-room, and kept it open at all times.

By Mr. McKenna:

Q. In which room?

A. In the hall.

By Mr. Graham:

Q. They had abundance of water, and had access to it whenever they wanted?

A. They had. There was the spring-room, and the door was open; there was the water, and there was a cup for them to take whenever they wanted, whenever they were dry, though sometimes, from their depraved taste, I have seen them drinking their own urine.

Q. What arrangement had you for giving water to those who are confined to their own room?

A. We carry water to them—to their own room.

Q. How often?

A. Every time they desire it. We often took it into their room, and asked them whether they wanted water.

Q. It was part of your duty to anticipate their wants?

A. Yes, sir; to anticipate their wants, as near as possible.

By Mr. McKenna:

Q. You have read the report of J. W. Carroll's testimony in this investigation?

A. Yes, sir.

Q. You may state what you think of it.

A. I consider it to be the ravings of an insane man.

Q. In what way?

A. In every way—simply the ravings of an insane man.

Miss MATTIE ALEXANDER, a witness who appeared before the committee, and being first duly sworn, testified as follows:

By Mr. Graham:

Q. You are now employed in the institution?

A. Yes, sir.

Q. How long have you been here?

A. I came here in June, 1880; I have been here all the time since but about four months.

Q. Did you know Miss Mitchell that was confined here?

A. I did.

Q. What ward was she in?

A. In the ninth ward.

Q. Were you employed in that ward?

A. No, sir.

Q. Please state to the committee, as briefly as you can, what kind of a patient she was and what kind of treatment she received.

A. Well, as to her treatment, I cannot say but very little about it. She was not in my ward. I had seen her in the ninth ward, passing in and out, and saw her in other wards. From what I could see, I would say that she was a hard patient to manage. That is about all I can say of Miss Mitchell.

Q. Was she disposed to injure herself?

A. I have seen her bite and pinch her own fingers and hands, and seen her hands when they looked bad from her own abuse.

Q. Did you ever see her receive any cruel treatment?

A. No, sir; I never did.

Q. While in the institution?

A. No, sir; never did.

Q. Were you in such a position that you would have seen such treatment?

A. Well, I passed in and out the ninth ward and saw Miss Mitchell, but I never saw her receive any abuse or cruel treatment of any kind.

Q. You have seen her in other wards?

A. Yes, sir; I have seen her in other wards.

Q. You knew Miss McCaslin?

A. Yes, sir.

Q. Did you ever know of her abusing any patients in the ninth ward?

A. No, I never did.

Q. It has been in testimony here by some persons here that she did.

A. I never saw her abuse a patient.

Q. Do you say you would likely have seen it if she had?

A. I may possibly have seen it in passing in and out the ward if she had, but I never did see her.

Q. How near is your room to the ninth ward?

A. It is just like the room here; the ninth ward here and the other there, [pointing.]

Q. It has been in testimony here that the victuals were inadequate and a bad quality. Now, what do you know about them, Miss Alexander?

A. I have nothing to say against the victuals whatever.

Q. Is there always a sufficiency of good provisions?

A. I always had enough.

Q. It has been in testimony here that the sugar was very inferior and unwholesome.

A. I always considered the sugar very nice—no complaint to make.

Q. It has been in testimony here that the meat was almost invariably tainted.

A. I know nothing at all about it.

Q. Do you know whether there was or not?

A. No, sir; I don't claim that at all.

Q. Do you say it was?

A. No, sir; it was good.

By Senator McNeill:

Q. Those ladies—the Coulters—claim that it was brown sugar that was used?

A. We only had brown sugar a very few times, and then it was of the very nicest kind; I can recollect not more than twice that the sugar was brown.

Q. She said also, that some things were so poor that she went to Allegheny to purchase for themselves. Do you know anything of that kind taking place?

A. I have known of them having to buy things; I remember once of them bringing home some things for themselves, but I didn't think anything about it.

Q. Did you ever know of them to buy sugar?

A. No, sir.

Q. Nor meat?

A. No, sir.

By Mr. Graham:

Q. Have you ever heard of any patients complain of hunger and insufficient food?

A. No, sir, I never did, and if any patient were ever hungry in my ward it was because they refused and would not eat; it was not because they didn't have it to eat.

Q. Then you say the food was always sufficient and of good quality?

A. Yes, sir.

Q. Do you know Miss Kate Coulter?

A. Yes, sir; I became acquainted with her after she came to Dixmont.

Q. How long was she here?

A. I could not say just how long; I believe only about four months.

Q. What was their general conduct here as officers and employés, and attendants of the institution; were they efficient?

A. I didn't consider her a competent nurse at all—I didn't.

By Mr. McKenna:

Q. Was she under you?

A. No, sir; I didn't consider that she was under me at all; she was in the same ward.

By Senator McNeill:

Q. How did she compare with other nurses that have been with you?

A. Indeed, I think she compared very poorly, I didn't think her of any consequence whatever; indeed, I never felt so when she was about; she was a constant incumbrance, I thought.

By Mr. McKenna:

Q. Why?

A. Why, she was incompetent in every respect; she was so cowardly when she would see the patients quarreling among themselves she was afraid to go and use her influence to try to quiet them, and when she would see me and other attendants in a fuss she would not come to assist in any way unless called for, and then she was very slow, indeed, about it, and she was of no account at all, and she didn't do well what she had to do.

Q. Timid?

A. Very timid, indeed; I knew of her jumping out of bed in the room when the light was burning brightly; she jumped in the bed that us girls was in, and screamed and cried because a mouse ran across her bed. I thought she was in a regular fit of hysterics. I remarked then that I thought a person who was frightened at a mouse wasn't at all fit to take care of the insane.

Q. Was she pleasant with the other attendants, or disposed to make trouble?

A. Well, I tell you what I think about it; she was a regular mischief-maker and clash-carrier; she carried news continually to the sewing-room from our ward, and seemed to make it a point to carry everything she could. Of course, I took it for granted that when she brought a load that way, she would take all she could.

By Senator McNeill:

Q. Do you know Mrs. Watt?

A. Well, really, I don't know Mrs. Watt; I have heard her name mentioned, and knew there was such a patient, but I know nothing about her.

By Mr. Graham:

Q. Do you know Miss Norcross?

A. Yes, sir; I do so know Miss Norcross.

By Mr. McKenna:

Q. Just describe what kind of a patient she was—was she a suicidal patient?

A. Oh, she was the most suicidal patient ever I had under my charge. I never had any like her.

Q. What attempts did she make?

A. I can give you a number of instances: Well, the first attempt she made was to push me down on the side, and take keys from me, and call in the other patients to help her to get to the dining-room and secure a knife; and had it not been for the assistance of a patient I don't know what she would have done; and I have found her—when she had secured strings, sometimes by tearing pieces off the side of the bed-spread and had a knot already made in them, I suppose, of course, to hang herself; and I have known her to have pins in her pocket and attempt to swallow them, and then I have myself put my finger in her mouth and pulled them out. She was so suicidal that I had to sew the clothing on her, so she could not get the buttons off, for fear she would swallow them; and one time she had some small tacks, and broken glass, and a great many things I can mind of. She would just beg of me to give her a knife.

By Mr. Graham:

Q. Did you keep her under restraint to prevent her from committing suicide and injuring herself?

A. I did have to keep her under restraint.

Q. In what way? I mean by the gloves or jacket?

A. Yes, sir; by the jacket we did.

Q. And that was why you put the jacket with sleeves on her, for the purpose of preventing her injuring herself?

A. Yes, sir; that was my purpose; for it was my firm belief, had she got the sleeves off in the night, she would take her own life.

Q. You done this to prevent her killing herself?

A. Yes, sir.

Q. Not as a punishment?

A. Not as a punishment; no, sir.

By Senator McNeill:

Q. Was Miss Norcross in your ward?

A. Yes, sir; she was in my ward most of the time she was here.

Q. Did you ever know of such a thing as throwing a bucket of spring water in her face?

A. Oh, I never done such a thing, and never knew anybody else to do such a thing—to throw a bucket of water in her face.

Q. Or less than a bucket?

A. I have thrown a glass of water in her face.

Q. Why?

A. By order of the Doctor, to bring her out of her hysteric fit, and hol-
lering and crying.

Senator McNeill :

Q. The Coulter ladies say that you threw a bucket of water in her face,
and allowed her to lie in bed on a cold winter night.

A. I deny throwing a bucket of water on her, and a glass of water didn't
effect her.

By Mr. Graham :

Q. This water that was thrown on was by direction of the physician ?

A. Yes, sir ; it was.

Q. Do you know anything about a pail full ?

A. No, sir ; I know nothing of it at all.

By Senator McNeill :

Q. That was not done through temper ?

A. No, sir ; it was just thrown on to try to bring her out of this fit of
hollowing and screaming.

By Mr. Graham :

Q. It was said by one of the witnesses that you jerked Miss Norcross
out of bed very violently.

A. I deny that emphatically.

Q. What do you know about any such occurrence ?

A. Well, there was times when I have assisted and used my influence to
get these folks up out of bed, but if the patients complain to me that they
are not well, and not able to rise, of course I never jerk them out of bed,
and insist on them getting up ; I leave that for the Doctor to decide
whether they are able to get up or not.

Q. Do you know Miss Selzer in your ward ?

A. Yes, sir.

Q. What do you know as to the treatment she received by either you or
Miss Coleman—I mean about her being abused ?

A. Oh, I know nothing about her being abused at all. I don't know
anything about any patients being abused in my ward.

Q. You say you never used unnecessary force ?

A. I never thought I used unnecessary force.

Q. What force did you actually use ?

A. Well, I really have been compelled to defend myself many a time ;
yes, I have.

Q. It is in testimony here that Miss Norcross was tied in bed, and a pail
of water thrown over her, and she was allowed to remain in wet clothing
all night. Do you know anything of such an occurrence as that ?

A. Why, I deny that I ever threw a pail of water upon her, or knowing
it to be done.

Q. Did you ever see Miss Coleman strike Miss Selzer with keys—a
bunch of keys ?

A. I don't recollect of ever seeing her.

Q. Did you ever know her putting her in a bath of very hot water ?

A. No, sir ; I never knew of that being done.

Q. It is in testimony here that the patients could not obtain water when
they desired it. What do you know about the supply of water—had they
access to it ?

A. Well, you put that question differently. I don't think I can under-
stand it.

Q. Have the patients water whenever they want it—drinking water,
spring water ?

A. Why, they don't have free access to the water themselves.

Q. What are the limitations—how do they get a drink of water?

A. They have to get a drink of water by coming and asking me for it, or the other attendants; that is the way they have of procuring water.

Q. Did you ever know them to be refused water when they asked for it?

A. Well, really—I may have refused to get a patient a drink sometimes because I could not just leave at the time to get it—something that I would be at.

Q. What is your general habit?

A. As a rule, when a patient asks me for a drink, I would get it for them.

Q. Why were the patients not allowed free access to the water?

A. Oh, well, I suppose if they had been allowed free access to the water they would have had it probably in such a condition it would not have been fit for them to drink very long; besides, they would throw it around on the floor and wet themselves, and do a good deal of mischief with it if the water was free.

Q. One reason for preventing them from having free access at pleasure to the water was that they would pollute it?

A. I presume that was the object in view when it was fixed in that way.

By Mr. McKenna:

Q. Do you know a patient named Katie Fondelier?

A. Yes, sir.

Q. Was she in your ward?

A. Yes, sir; she was in my ward a while.

Q. I believe she died, didn't she?

A. Yes, sir, she died.

Q. Were these Coulter ladies in the ward at the same time that she was there?

A. Yes, sir, they were.

Q. Do you know Miss Lavery?

A. Yes, sir.

Q. She was an attendant, was she?

A. Oh, no; she was a patient.

Q. I wish you would state if you saw any abuse or ill-treatment inflicted upon either Miss Lavery or Miss Fondelier; they testified that they saw Miss Lavery dragged—

A. My heavens!—

Q. Along the hall by yourself and Miss Coleman. What do you know about that?

A. Well, I can tell you that Kate Lavery was one of the most obstinate, self-willed and determined patients I ever saw. I had to use a good deal of force.

Q. Was she pretty strong?

A. I think she was pretty strong. When she would take hold of anything I had to try to get her loose with the assistance of others and I had to work a good while.

Q. Did you ever use any more force than was necessary?

A. I don't think I ever used any more force than was necessary in her case.

Q. It was in response to your duty you used force?

A. Yes, sir.

Q. How did she manifest her violence—did she attack persons?

A. No; she didn't do that a great deal. I really don't know that I can recollect very much of her violence. She was this kind of a patient, the moment the landing door was opened she would watch her opportunity and rush out, and she would catch hold of the railing and banisters, and

she would hold there, and she would run as far as she could, and catch anything she could, and hold there until she was forced loose, and forced back to the ward.

Q. The attendants had to conduct her back?

A. Yes, sir; of course. I have took her in my arms and carried her back. We just had to do that.

Q. Did you see a synopsis of the testimony of those Coulter ladies?

A. I read some of it. I read everything I could get hold of.

Q. Did you read the narration about Katie Fondelier?

A. Yes, sir; I did.

Q. What have you to say about the treatment they charge there against the attendants in that ward—they say that about three weeks before Katie Fondelier died she was punished by being kept in a dark room two or three weeks. Do you know anything about that punishment?

A. Well, really, I don't know whether that was a punishment or not. She was placed there by the doctor's orders. It wasn't two or three weeks before she died she was placed there.

Q. How did she manifest her insanity—what was the necessity for it? Describe in your own way.

A. Well, I presume she was placed there——

Q. Had she escaped from the institution?

A. Yes, sir; she had.

Q. Was it to prevent her from escaping?

A. That is what I thought it was for—to prevent her from escaping.

Q. What do you know about her attempting to escape, and how?

A. Well, I heard of her sliding down the dust-shoot once and escaping.

Q. Did you ever whip any patients with a strap with a buckle on?

A. No, sir; I never whipped a patient with a strap.

Q. Did Katie Fondelier have a bed in this room she was put in?

A. Why, certainly, she had a bed at night.

Q. You are certain of that?

A. I am very certain of that, indeed.

Q. You saw her in that room?

A. I saw her in that room.

Q. Was she kept there without a bedstead because she was suicidal?

A. I don't know whether she was suicidal or not.

Q. Did she make threats that you know of?

A. I don't know that.

Q. These ladies charge in this testimony that this Miss Coleman dragged Katie Lavery along the corridor by the hair of the head. Is that a fact?

A. No, sir; I don't recollect of them ever doing any such a thing. I don't believe I ever did do such a thing.

Q. Was it a customary way to compel patients to move along?

A. No, sir; it wasn't.

Q. Do you remember, Miss Alexander, at any time forcing Miss Josephs to eat, and cutting her mouth with a knife—anything of that kind?

A. I don't remember of cutting her mouth with a knife; I never fed her with a knife, when I fed her I used a spoon always, but I did, on account of the doctor's orders, force victuals in her mouth.

Q. She would refuse to eat?

A. Yes, sir; she would refuse to eat. I thought it was doing her a kindness.

Q. Was she trying to starve herself to death?

A. I think she did; she must have got hungry.

Q. You say at that time her mouth didn't bleed; you didn't cut her mouth?

A. I don't recollect of it; if I did hurt her mouth I did it unintentionally.

Q. Not used any more force than was necessary?

A. I didn't.

Q. To enforce the doctor's orders about feeding her?

A. Yes, sir.

Q. The same charge has been made with reference to Miss Bonner.

A. I remember Miss Bonner.

Q. What was Miss Bonner's peculiar malady?

A. She didn't want to eat, either; she was just as stubborn as could be about eating.

Q. Do you remember of ever sitting on her at the table?

A. No, sir; I don't.

Q. You never did that for the purpose of making her eat?

A. No, sir; that is not my mode of trying to make people eat at all.

Q. Miss Coulter has so charged in the testimony.

A. Oh, yes; she has so charged.

Q. Do you know whether either of the Miss Coulters complained to Miss Hope that you had treated these two ladies, Miss Joseph and Miss Coulter, cruel in the manner of compelling them to eat?

A. No, sir; I didn't; because they would not come face to face with every charge of clash, generally went behind and carried it. I knew nothing about it and I didn't hear them.

Q. Miss Alexander, these ladies were for a long while what is called surplus attendants?

A. The one that was in my ward was a surplus all the time she was there.

Q. Which one was that?

A. Miss Kate.

Q. Was she really much in the ward?

A. Well, generally took her meals in the ward, and slept in the ward, was there every morning until after breakfast, and came in and took her dinner and supper.

Q. Was she also in the sewing-room—required to be in the sewing-room?

A. Yes, sir; I think she was.

Q. What proportion of the time was she there—was she required to be at her duties in the sewing-room?

A. Well, I will tell you; in the morning she went out some time after her breakfast to the sewing-room and was there until her meals.

Q. Then while engaged in the sewing-room she was not required to assist you?

A. Oh, no; of course not.

Q. Was not anywhere where she could see into the ward?

A. No, sir; I presume she could not see from the sewing-room to my ward.

Q. How were her eyes—good eyesight?

A. Well, she told me herself she had sight of but one eye, and couldn't see well out of that one—was obliged to wear glasses; that was one of the very reasons that I thought she was incompetent to be a nurse, because I think it takes people to be wide-awake and sharp-seeing.

Q. You find many of these patients cunning and treacherous?

A. Indeed I have.

Q. Requires vigilance and watching ?

A. Yes, sir.

Q. You may state whether she tried to make trouble among the attendants.

A. I think she did, because she carried news ; I know constantly of her carrying news. It was that generally which created the most trouble.

Q. Did you ever know Miss McCaslin to taunt one of the patients—Mrs. Barnhardt—with the fact of having murdered her husband with bed-bug poison ?

A. No, sir ; know nothing about it.

Q. Were you in the same ward with Miss McCaslin ?

A. No, sir.

Q. What is your instructions when you are employed at the hospital, in reference to the mode of treatment of the patients ?

A. I was always told to be kind and gentle, and to use no more force with them than what I had to.

Q. Were you informed what would be the result of your undertaking to abuse a patient yourself. Were you given any authority to use any discretion about it—abusing a patient ?

A. No, sir ; I wasn't given any authority to abuse a patient—never ; it was always understood that if I was known to abuse a patient or misuse one in any way, I would take a walk.

Q. Ain't that the rule of any person that abuses a patient ?

A. Yes, sir ; that is the rule.

By Mr. McNeill :

Q. Do you know if that is one of the main rules ?

A. Yes, sir.

By Mr. McKenna :

Q. Do you know if that rule is enforced ?

A. Yes, sir.

Q. Do you know, Miss Alexander, or can you recollect of the fact of Miss Coulter ever reproving you for sleeving a patient ?

A. Yes, sir, I can ; she has reproved me different times when carrying out the Doctor's orders in that way, telling me it was cruel and unkind, in the presence of the patient, too.

Q. Did Miss Coulter say to you that Miss Norcross should be allowed to commit suicide rather than to be compelled to wear those sleeves ?

A. I don't know that I can recollect that.

Q. Did the Doctor visit the patients regularly in your ward ?

A. Yes, sir.

Q. Doctor Hutchison, I believe ?

A. Yes, sir.

Q. Were the attendants prohibited—in the female department—from talking to the Doctor ?

A. The attendants from talking to the Doctor ?

Q. Yes, ma'am.

A. Oh, no, sir.

Q. Was it the rule that the attendants were embraced in the order from speaking to male employes at all ?

A. No, sir ; I never understood that.

Q. Miss Coulter testified that.

A. She did ?

Q. Yes, ma'am ; and that the Doctor was included in the prohibition.

A. She did ? I never thought so.

Q. You say you was not embraced in it ?

A. Yes, sir.

Q. You have described the manner of one of these Coulter ladies—Miss Coulter.

A. I know very little about Mrs. Mary Coulter. Of course I knew Miss Coulter when she passed in and out of the ward.

Q. What was her duty—what did you see her doing?

A. I never seen her do much of anything. She was never employed in my ward.

Q. What were her general duties?

A. Her general duties were just that of surplus, as far as I know, until shortly before she left.

Q. Was that in the sewing-room?

A. Yes, sir; and where she was seen fit to be called to.

Q. Was she liable to be called anywhere?

A. Yes, sir.

Q. Miss Alexander, in addition to that very poor tea, do you know anything about that?

A. Well, sir, I don't know anything about that. I always thought they had plenty.

Q. You may state, if you know, if these two ladies ever expressed an idea in favor of the water-cure for this establishment in the treatment of the patients.

A. They were constantly talking about the water-cure, and I remember very often of asking them what brought them away from a place they were so well suited with—

Q. They had come here from a water-cure establishment in Beaver county?

A. I don't know whether they had come here directly or not, but they had been there, I believe.

Q. At this water-cure establishment?

A. Yes, sir.

Q. Do I understand you to say that that was the right remedy for diseases?

A. Well, I have heard them speaking highly in favor of it. I never asked them.

Q. How was their general behavior—were they obedient to the rules of the house or were they neglectful and insubordinate towards Miss Hope and the other superiors?

A. Well, Miss Hope may answer that for herself, as far as they acted towards her.

Q. Did they coöperate with you in your ward?

A. Not very well, I don't think; I must say they were careless, because I have known them to leave doors unlocked; I don't think they did intentionally.

Q. You may describe the size of keys and the number of keys that they carried; have you one with you?

A. Yes, sir; I had better show them than describe them. [Here the witness showed her keys.]

Q. Are these the largest keys?

A. Yes, sir.

Q. That is all the keys the attendants have?

A. That is all the keys ever I had.

Q. Do you know if the keys were used as a method of punishment for patients?

A. No, sir ; I don't know of them being used as a punishment ; I never used them as a mode of punishment.

Q. Then this story about your using the keys on various patients, and about abusing their hands, and taking a strap with a buckle on and striking them in that way, and sitting down on refractory patients, you pronounce false, do you ?

A. Yes, sir, I do.'

By Mr. McNeill :

Q. Did both these ladies leave at the same time ?

A. Yes, sir.

Q. Did they come and bid you good-bye when they were going away ?

A. Yes, sir ; bid us good-bye.

Q. Left with good feeling—pleasant ?

A. Yes, sir ; everything was smoothed over. They bid me good-bye and I never refuse to bid anybody good-bye that wishes to.

Q. Miss Alexander, is there any other attendants the same name as yours ?

A. Yes, sir, Miss Sadie Alexander ; she was not in the ward with me.

Q. Her name was Sadie ?

A. Yes, sir.

Q. Your name is——

A. Mattie.

Q. What ward is Miss Sadie Alexander in ?

A. The third ward.

Q. Is she here now ?

A. No, sir.

Q. She is not here now ?

A. No, sir.

By Mr. McKenna :

Q. It was stated by the Coulter ladies that there was an abundance of butter—and very bad—administered to the patients and attendants. You may describe to the investigating committee what you know about that—whether it is correct or not.

A. Well, the butter at all times did not suit my taste exactly.

Q. How was it generally ? We get bad butter in our families sometimes ; just tell how it was as a general thing.

A. Well, sometimes I thought it was very good, and at other times I didn't think it was quite so good.

Q. There was a reflection on the cooking of beef-steak, and soup, when cooked, that it had roaches and hairs. Do you know anything about that cooking for the patients during the period of six months that the Coulters were here—do you know anything about that ?

A. Well, I have——

Q. Is it as good as any ordinary boarding-house ?

A. I should think it was ; probably such things as that——

Q. We are not speaking about the liability ; I wish you would state what is the general rule.

A. I think that is wrong.

Q. About such cooking ?

A. About such cooking ; the house-keeper can tell.

Q. Who is the house-keeper ?

A. Mrs. Rankin.

Q. Is she a competent person ?

A. I suppose so, or she would not be here so long. I have nothing to say about Mrs. Rankin.

- Q. She is a good house-keeper ?
A. She has never meddled with my part.
Q. You got the results of the cooking ?
A. Yes, sir.
Q. You are satisfied with it ?
A. Yes, sir.

Miss CLARA COLEMAN, a witness who appeared before the committee, and being first duly sworn, testified as follows :

By Senator McNeill :

- Q. You have heard all these questions and answers ?
A. I have.
Q. Do you corroborate all that Miss Alexander stated in regard to these several charges that was made by these Coulter girls ?
A. Yes, sir.
Q. All of the questions you answer in the same manner, or about the same ?
A. About the same.

By Mr. McKenna :

- Q. You are not now in the employ of the institution ?
A. No, sir ; I am not.
Q. How long is it since you terminated your connection ?
A. I left last August, I believe.
Q. You are a competent witness to state what your instructions were when you were employed as an attendant in reference to treating the patients humanely and kindly ?
A. Well, my instructions were given to be firm with the patients ; wherever force was required to enforce the rules of the institution to use it to that extent, but to be kind and gentle as far as I could, and I believe fully that I done it.

- Q. How about the other attendants ?
A. I believe the other attendants did also.
Q. Was the rule of the institution to be kind and humane ?
A. Of course.
Q. There was no unnecessary restraints used ?
A. There was no unnecessary restraints used ; those restraints, of course, we had to put into execution, that we were told to do so.
Q. Did you go beyond what was actually necessary to gratify your own spite ?

- A. No, sir ; it makes me indignant to have such a thing charged.
Q. You used forbearance, did you ?
A. I think I have to a very great extent.
Q. What ward were you in ?
A. I was in the tenth ward.
Q. Was Katy Fondelier there ?
A. Yes, sir.
Q. And Miss Norcross ?
A. Miss Norcross.
Q. Miss Seltzer ?
A. Miss Seltzer.
Q. Katy Lavery ?
A. Kate Lavery.
Q. How long were you in that ward ?
A. I was in that from when I came to that institution until August 4, when I left.

Q. Were you in that ward while Miss Coulter was ?

A. I was.

Q. I wish you would say how these ladies I have named—Norcross, Seltzer, Lavery and Fondolier were treated—did you ever see them maltreated or abused ?

A. I never did; Miss Norcross, of course, was a suicidal patient and we had a great deal of trouble; Katy Fondolier was a stubborn patient and we had to compel her to go every place, to go to bed for instance—Katy Lavery, I mean, we had to compel her to move herself from one end of the ward to the other frequently; she would never make a step without us making her doing so; we wasn't allowed to let her sit there all the while; she had to go to bed; it was necessary for her to do so.

Q. Would she refuse to do so ?

A. She would, indeed, many a time; and then, besides that, Katie Fondolier was not dragged out of bed and died at ten o'clock; that is one statement I feel very indignant over, because I myself opened Katy Fondolier's door the morning she died, and I said to her to get up and wash for breakfast, and she made the remark to me she felt sick and she didn't care about getting up and for me to send water in to her, and as she was sick I said, "Very well, Katy, if you are sick I will send you some water in, if not, get up and come into the bath-room." I went into the bath-room and she came into the bath-room, the third patient; I combed her hair and washed her face, and I made the remark that she looked pale, she didn't look well; she said she didn't feel well and wanted to go back to bed, and I told her to go in and lay down; after some arrangements with Miss Mat she was put to bed and some breakfast taken in to her; she didn't eat anything, and about ten o'clock she died. I am sure there was not a nurse or attendant in that ward that wasn't amply sorry to see her die. Instead of using her anything but bad we all felt kindly to her, because when she wasn't in a spell she was very kind and we didn't have to do anything disagreeable to her to force her to do anything.

Q. In reference to dragging Miss Norcross out of bed —

A. Does that refer to dragging her out of bed when she was sick ?

Q. Yes, ma'am.

A. Well, I do deny that. I do not know of any such thing ever occurring.

Q. Do you know of Miss Norcross being allowed to remain in bed after the hours of getting up, often ?

A. I have, indeed.

Q. Do you know Miss Diamond ?

A. I do.

Q. Was she in your ward ?

A. Yes, sir.

Q. Do you know of her being sleeved ?

A. Indeed, I do not.

Q. Do you remember of a bucket of water being thrown in her face when she was sleeved and helpless ?

A. No, not when she was in my ward, for that matter.

Q. Do you know of this bucket of water being thrown, as was alleged, in Miss Norcross's face ?

A. I don't know anything of the kind, except once, and that was a glass of water.

Q. That was not a bucket ?

A. No, sir; she was screaming at the top of her voice, and we had orders to do that.

Q. Do you know of Miss Norcross being maltreated, from what you saw?

A. I think we indulged her to a greater extent than many attendants would have done.

Q. I wish you would state what the rule is in regard to a knot being tied on the back of a patient of a strait-jacket.

A. I believe among the attendants was to do that—that is, so far as I knew of it.

Q. Where would that be tied?

A. Tied to the side and at the back so that they could not possibly get to it.

Q. If they were tied to the bed, where would it be tied?

A. Not in the back if it could be avoided. On the side we would generally tie it as much as we possibly could.

Q. Do you know if Katie Fondelier had a bed?

A. She did have a bed.

Q. You saw it there?

A. Certainly I did, and helped to put her there many a time.

Q. Do you know whether she was suicidal or not?

A. I do not.

Q. You may state in respect to the quality and quantity of food furnished to the patients and attendants here—if it was, as a general thing, sufficient and good.

A. Yes, sir; the quantity was sufficient. I will say that at times the food came to the ward that didn't just suit my taste, but then my taste is not everybody else's taste—I say sometimes it didn't suit my taste.

Q. I mean the general rule.

A. The general rule it was very passable.

By Mr. McNeill:

Q. It was wholesome?

A. Yes, sir.

Q. And fresh?

A. Yes, sir; and fresh. I never knew such a thing as tainted meat. It was wholesome, and I always found a sufficient quantity, and I always felt that I had. I hadn't anything to do with it.

Q. Do you know of these Coulter girls inflicting any abuse and throwing patients down, or anything of that kind, while here, in reference to Mrs. Norcross—did you see her?

A. I did, sir; on one occasion. I don't know that you would call it abuse. She was sleeving the patient, and I don't know that you would say that she intentionally meant it.

Q. What did she do—throw her down on the floor?

A. I will tell you as near as I can. She was sleeving the patient; she was a patient hard to sleeve, and she was stubborn, and wouldn't do what was wanted, and she was told, I suppose; when she had the sleeves fastened she shook her with the sleeves on, and the last shake she gave her she went over.

Q. You saw that?

A. I saw that myself. I don't know what you would call it.

Q. Do you know whether it was with the intention of throwing her down?

A. I do not; to be candid, I don't think it was.

Q. You may state whether these Coulter ladies were active and attentive to their duties in their wards, or whether they were competent, in your opinion.

A. Well, my opinion is about the same as Mattie's was. I think they

were deficient in some things, according to my way of thinking. I don't feel like saying more than I can, because you may think it is because of what they said about me that is not true.

Q. Do you know of their having several spats with the lady attendants and colleagues?

A. I do.

Q. Soon after they came in?

A. Yes, sir; some of it was, and it lasted through the whole term, I believe.

Q. Did they have frequent quarrels?

A. Well, they had it middling frequent.

Q. Both these ladies?

A. I think so. I may as well say frequently we had little misunderstandings about things.

By Mr. McNeill:

Q. These misunderstandings did not occur generally between the rest of the attendants—more frequently with these ladies?

A. It did with me and Miss Mattie.

Q. I mean between you and Miss Mattie; it was generally the Miss Coulters had difficulties?

A. Yes, sir; I can say that, during the time I was here, I think they had, more or less.

By Mr. McKenna:

Q. There was peace before they came here, and peace after they left?

A. Certainly there was not the disturbance while they were here; things were much smoother; but I don't think there was anybody but what was relieved when they had left, and I don't think that was the general way when attendants left this place—I don't think it was.

Q. Did they take the female patients out walking, such as were able, to give them exercise?

A. Yes, sir; I guess they did.

Q. I mean did the attendants in general?

A. Yes, sir.

Q. This Miss Mitchell is here yet?

A. I can't say.

Q. Was she under your care?

A. She was not.

Q. Did you ever see Miss Alexander or any other attendant apply personal abuse to any patient with a strap and buckle?

A. No, sir.

Q. Or with large keys, ponderous keys or keys of any kind?

A. No, sir.

Q. You never saw that at all?

A. No, sir.

Q. You are living now—where?

A. I am stopping with friends in the city.

Q. Where do you hail from?

A. My home is Dayton, Armstrong county, Pennsylvania. I wish to say this: You didn't ask me in regard to that hot bath for her; I certainly feel that. I think that is as heavy a charge as could be given to any person that was humane. I do emphatically deny it—that was charged against me.

Q. Who was the lady?

A. Miss Seltzer.

By Mr. Graham :

Q. Please narrate what did occur at that time.

A. I have not the least recollection of anything of the kind ; that is what goes ahead of me so far. I don't recollect of anything of the kind ever occurring.

Q. If it did occur, you don't know it ?

A. I don't know it, for when I seen it in the paper and it was stated that it was me, I never recognized it.

Q. There was nothing of that kind ever occurred ?

A. No, sir. Then, besides that, the papers have stated that this woman should have begged of me not to put her in this hot water ; that is not true for one thing, because the doctors know she was a woman that was past all that ; she was one of this kind that would sit for hours—perhaps a day—and would not be aroused unless you would speak to her harshly and sharply, and she wouldn't have known anything about it, and could not have asked me not to put her in there—she had not the sense.

Q. She was an imbecile ?

A. Yes, sir ; and I think any person who knows anything about an insane patient would know that I could not have done it, as it would take more than one person to hold a person in a bath of hot water. Would it not take more force than I have, especially with an insane person ?

Q. Then I understand you to pronounce it a fabrication ?

A. I do, and I would like to have it stated in the papers.

Q. I didn't ask you about another charge in reference to you and Miss Alexander having dragged Katy Lavery along the hall by the hair of the head.

A. That is another thing I deny. I don't know as I ever took a patient by the hair of the head. There has been times when patients were violent that I have had to use force in self-defense.

Q. Did they ever injure you ?

A. I have been scratched, kicked, and bitten at one time, and I have used force in self-defence, of course, to save myself.

Q. Do you know the peculiarity described by Miss Alexander, of Kate Lavery holding on to the door, and banisters, and things ?

A. I do.

Q. Have you pulled her loose ?

A. Yes, sir ; she would clutch her hands on chairs, and seats, and so on, and she was very hard to manage ?

Q. You say there was no violence used ?

A. No, sir ; I don't know from what that could have arisen ; I know one Sunday morning I was getting ready for church, and Katy Lavery flew by me, I believe, and it became necessary to bring her up stairs by force ; we had to bring her up, but as far as dragging her up, I deny that.

Q. You deny that ?

A. Yes, sir ; I do.

On motion of Mr. Graham, adjourned to meet at eleven o'clock, on Tuesday morning, March 6, A. D., 1883, at the same place.

And now, to wit ; Tuesday, March 6, A. D., 1883, at eleven o'clock, A. M., parties met pursuant to adjournment.

Present, Chairman McCrum, Representatives Walker and Graham, C. F. McKenna and J. H. Reed, Esqs., of counsel for respondent, and witnesses, and the hearing of testimony proceeds.

MISS MATTIE ALEXANDER, a witness who re-appeared before the committee, and being duly sworn by Chairman McCrum, testified as follows:

By Major Walker :

Q. What is your name ?

A. Mattie Alexander.

Q. Miss, I believe?

A. Yes, sir.

Q. Miss Alexander, will you be kind enough to state to the committee how long you have been connected with the Dixmont hospital?

A. I came here June, 1880, and remained here ever since, with the exception of about four months.

Q. Were you absent four months?

A. About four months.

Q. What position did you hold when you first came here?

A. Well, I was attendant.

Q. Were you a surplus attendant?

A. No, sir; I never was a surplus.

Q. You have always been an attendant?

A. Yes, sir.

Q. Miss Alexander, what ward were you assigned when you first came?

A. The ninth ward.

Q. How long did you remain in the ninth ward?

A. Well, I came in June, and I left in November, I believe, and I remained in the ninth ward from June to November, when I left.

Q. You left in November, and then you were gone four months?

A. Yes, sir.

Q. Why did you leave?

A. Why, I left on my own account.

Q. Are you permitted to leave here without the consent of Doctor Reed?

A. Oh, we are certainly required to give a notice.

Q. You left here with the consent of Doctor Reed.

A. Yes, sir, I did; it was at the request of my own people that I went home.

Q. You were then gone four months?

A. Yes, sir.

Q. When you came back you were assigned to the same ward?

A. No, sir; placed in the tenth.

Q. How long did you remain in the tenth?

A. I have been in the tenth ever since.

Q. Do you remember Miss Kate Coulter?

A. Yes, sir.

Q. Was she here in the asylum when you first came here?

A. No, sir.

Q. Do you remember Mrs. Coulter?

A. Yes, sir.

Q. Was she here when you first came here?

A. No, sir.

Q. How long after you had been here did Miss Coulter come?

A. When I came back the last time I came here in March, and they came in the fall—sometime in the fall of the year—November, probably, along about that time.

Q. That would be November, 1881?

A. Yes, sir; that would be November, 1881.

Q. Are they sisters?

A. I understood they were sisters-in-law.

Q. One is Mrs. Coulter and the other is Miss Coulter?

A. Yes, sir.

Q. What position did they hold when they came here?

A. Miss Kate was what is termed here as a surplus.

Q. Miss Kate was a surplus?

A. Yes, sir.

Q. Are the surplus attendants assigned to any particular ward?

A. No, sir; they are liable to be called any place where they are needed.

Q. Into any ward to assist wherever they are required?

A. Yes, sir; to stay the length of time they are needed.

Q. Then you wouldn't know anything of the ward while the two Coulter girls were here all the time; you were in ward No. 10?

A. Yes, sir.

Q. Do you remember Miss Mitchell?

A. Yes, sir.

Q. What ward was she confined in?

A. The ninth ward.

Q. She was confined in the ninth ward when you first came here?

A. Oh, when I first came here, I don't know whether Miss Mitchell was in the house or not. I remember her first in the ninth ward—I remember Miss Mitchell being in the ninth ward.

Q. Do you remember when that was that she was in the ninth ward?

A. She was in the ninth ward when the Coulter girls were here.

Q. Then, of course, you were in the tenth ward?

A. Yes, sir.

Q. It is a different ward entirely from that the Coulter girls and Miss Mitchell were in?

A. Yes, sir.

Q. Miss Alexander—just in general terms—if your duties called you into the tenth ward, where Miss Mitchell was confined, and you were in the ninth ward, would you necessarily know everything that transpired in the ninth ward?

A. No, I would not.

Q. You would not?

A. No.

Q. What I mean by that, Miss Alexander, I mean what you would see, not what you would hear at all, if in the tenth ward you would not know what transpired in the ninth ward?

A. No.

Q. Have you read the testimony of the Coulter girls?

A. I have read——. Yes, I think I have seen it.

Q. Did they testify to the maltreatment and misuse of any patients except what occurred in the ninth ward?

A. Well, you see there was one in the ninth ward and one in the tenth ward.

Q. Miss Alexander, which one was in the ninth ward?

A. Mrs. Mary Coulter was.

Q. Mrs. Mary Coulter was in the ninth ward?

A. Yes, sir.

Q. She was in the ninth ward all the time she was here?

A. Yes, sir.

Q. Was she ever in the tenth ward with you?

A. In passing backward and forward.

Q. I mean, was she employed in the tenth ward?

A. No, sir.

Q. She would simply be there in going through and passing through?

A. Yes, sir.

Q. If any maltreatment should occur in the ninth ward between any of the attendants and patients, and Mrs. Mary Coulter or Miss Coulter or any of the patients, is there any way in which you would know of it, except by hearsay?

A. Why, if I was just there, I would know it.

Q. Would you be in the ninth ward?

A. I would not be supposed to be in it at all.

Q. Was you ever in the ninth ward and saw any maltreatment?

A. I never saw any.

Q. How much of your time would you be in the ninth ward?

A. Very little.

Q. Your place was to attend to your own patients in the tenth ward?

A. Yes, sir.

Q. Whereabouts was Miss McCaslin—where was her ward?

A. She was in the ninth ward.

Q. Miss Alexander, when you testified here yesterday if you knew of Miss Mitchell being abused by Miss McCaslin or Miss Coulter in the ninth ward, you simply gave a negative answer that you did not see anything because you wasn't there?

A. I never seen Miss Mitchell abused.

Q. Then would you have had any opportunities, you being in the tenth and she being in the ninth, to have seen it?

A. No, sir.

Q. Had you any conversation, at any time, outside of the wards with Miss Kate Coulter—I suppose you have social gatherings outside of your wards, you are not supposed to be all the time in your ward?

A. Oh, no; we are not.

Q. The lady attendants meet each other sociably once in a while, do you not, where you can sit down and talk and chat with each other?

A. Do you mean we meet—a general meeting—come together?

Q. Oh, no, not at all; after the labors of the day are over, you sit down and talk with some of the lady attendants; you are not forbidden to do that, I presume?

A. Oh, no.

Q. Did you have any conversation with Miss Kate Coulter, in a sociable way?

A. Oh, certainly.

Q. Where would you meet Miss Coulter?

A. When she was in my ward; she took her meals in my ward.

By Mr. McKenna:

Q. Did she sleep there, too?

A. Yes, sir; slept there always.

By Major Walker:

Q. Mrs. Coulter—not Kate—the one that is in the ninth ward?

A. I am talking now about Kate Coulter.

Q. I will correct myself; I mean the one in the ninth ward—Mrs. Coulter.

A. Certainly, I met her occasionally, here and there, and would talk with her.

Q. Where would you meet Mrs. Coulter?

A. Well, sometimes she would come in my ward and talk with me a

while; of course, going out to the sewing-room, or in going out to chapel, would meet frequently; run across her in the ward.

Q. That is about the only way, I suppose, you could meet each other here?

A. Yes, sir.

Q. Miss Alexander, with the very limited opportunities of consulting and talking with the patients in the ninth ward, or with the attendants in the ninth ward, would you be able to know whether they are either competent attendants or incompetent, of your own knowledge—not what somebody tells you—of your own knowledge?

A. I would not be presumed to know a great deal about that.

Q. Did you testify here that Mrs. Coulter was an incompetent attendant?

A. I had reference, when I spoke of incompetency, to Miss Kate, that was in my ward.

Q. You didn't mean Mrs. Coulter at all?

A. I was talking or speaking of Miss Kate Coulter.

Q. I am simply asking whether Mrs. Coulter was incompetent?

A. No, sir; I did not state that.

Q. Have you read the report of it?

A. No, sir.

Q. You don't know whether the report is true or not?

A. No, sir.

Q. Don't you remember when Mr. Graham asked you the questions with reference to the quality of sugar? What was your answer, do you remember, in reference to the sugar?

A. Well, whatever I said yesterday——

Q. You want to say to-day?

A. I just want to say this about the sugar—that it always was sufficient in quantity and quality.

Q. Do you remember whether that is substantially what you said yesterday to Mr. Graham's inquiry?

A. Well, I don't know whether I made exactly that answer or not. There was a remark made to me about the sugar—the kind of sugar.

Q. Don't you remember Mr. Graham asked you a question as to the quality of the sugar, and then followed it up by asking another question in reference to the meat?

A. Well, I don't know——

Q. The report is in the paper that Mr. Graham asked you these two questions—first in reference to the sugar, and then with reference to the meat. Do you remember what your answer was in reference to the meat—whether it was tainted or not tainted?

A. I think I said it was not tainted. That is the impression that I certainly wanted to convey, at any rate.

Q. I am only calling your attention to this simply to try to refresh your memory, to see whether Mr. McCrum didn't follow that up with other questions in regard to Mrs. Kate Coulter—whether she was attentive to her duties as an attendant. Now, what I want is to get your reply in reference to Mrs. Coulter.

A. I have nothing to say about Mrs. Mary Coulter. She was not in my ward. If those remarks went out in that way I was misunderstood. I meant to be talking about Miss Kate Coulter.

Q. Do you know any want of attention on the part of Mrs. Mary Coulter when she was an attendant in the ninth ward—do you know it?

A. No, sir.

Q. Miss Kate Coulter was an occupant of your ward, I understand?

A. Yes, sir.

Q. Was Miss Kate Coulter what is known as a surplus?

A. Yes, sir.

Q. I understand you to say, when we first started out in this examination, that a surplus could be called into any of the wards?

A. They are liable to.

Q. Was Miss Kate Coulter called into any other ward but the tenth?

A. Do you mean was she called at any time to go to—

Q. Yes, ma'am; or did she belong exclusively to the tenth ward?

A. It is just this way: She was placed in the tenth ward, as far as I can remember. She may possibly have been called a day at a time, or something like that; I can't recollect just as to that.

Q. But her duties were almost exclusively in the tenth ward, of which you were one of the attendants?

A. Yes, sir.

Q. Miss Alexander, she was a surplus and you were an attendant?

A. Yes, sir.

Q. In the instructions that you received from Dr. Reed, your immediate superior—I suppose you would get your instructions from him, did you not?

A. I got my instructions from him.

Q. In the instructions you received from Dr. Reed, have you any authority over surplus attendants?

A. I have no authority over surplus attendants. I don't claim to have authority over them.

Q. Did you ever ask Miss Kate Coulter to perform any service or duty in the tenth ward that she refused to do?

A. Well, many a time I had to call her.

Q. Did she ever refuse to assist you?

A. She was slow sometimes to come to assist me. I don't know that I can say any particular time that she actually refused to come.

Q. Did she ever call you to assist her?

A. Well, I presume she has.

Q. Were you always prompt?

A. I always tried to be prompt to go to assist any attendant whenever they called me.

Q. Was there ever an instance, Miss Alexander, that she asked you to assist her and you didn't promptly respond?

A. I don't remember a single instance.

Q. Did you consider at any time that Miss Kate Coulter was subordinate to you, or that you was over her in any way?

A. No, sir.

Q. Did you ever attempt to exercise any authority over her?

A. I may have said to her, and no doubt have, that when she was in the ward I thought it her duty to assist in anything that she seen was to do; I may have said that to her.

Q. I wish you to answer the question—did you ever attempt to exercise any authority over Miss Kate Coulter?

A. I don't think I did.

Q. You have no recollection?

A. I have no recollection.

Q. Could you refresh your recollection just for a moment—I want you to be as near correct as you can—I know you aim to—can you remember any?

A. No, sir

Q. Did you ever have any difficulty with Miss Kate Coulter ?

A. Yes, sir.

Q. How often ?

A. Well, it frequently occurred.

Q. Miss Alexander, be kind enough to state what the trouble was between you and Miss Coulter, how it originated, what it was, and the cause of it.

A. Well, we didn't seem to get along any too well from the first ; we had frequent little spats, as I told you.

By Mr. McKenna :

Q. He ask you to tell what it was about.

A. Well, sometimes it was because she would reprove me for using necessary restraints—using restraints I was ordered to do—in the presence of the patients ; that always resulted in —

By Major Walker :

Q. Give us an instance—one instance where you were obliged to use forcible means, where she reproved you ?

A. Well, for instance, in Mrs. Norcross's case, she has reproved me and told me she thought it was unkind and unjust to sleeve her, and she would not use any restraint upon her, to use restraint on her that I was required to use by authority.

Q. Just state in the case of Mrs. Norcross what kind of punishment—as you term it—it was which you inflicted upon her, that led to the reproof of Miss Kate Coulter ?

A. Well, I didn't call it punishment.

Q. Whatever you thought it was ?

A. It was restraint that was ordered to be put on her.

Q. Who ordered it to be put on ?

A. The Doctor.

Q. Doctor Wylie ?

A. No, sir ; Doctor Hutchison.

Q. Just state what it was, and what for.

A. Well, we had to use restraint with her, because she was such a very suicidal patient—we had to do it.

Q. What was the character of the restraint—what is it you mean ?

A. You mean what the restraint was ?

Q. Yes, ma'am.

A. Well, it was what you term here a jacket or sleeves.

Q. And you put what is known as a strait-jacket upon Mrs. Norcross ?

A. Yes, sir.

Q. Was it in her own room ?

A. I didn't always put the jacket on in her own room.

Q. Did you ever put it upon her in her own room ?

A. Oh, yes, I have.

Q. Was it the custom in your ward to disrobe the patients before putting the jacket on them ? Are they in their night-clothes when the jacket is put upon them ? Have they anything on except their night-clothes ?

A. When they are put to bed they are not supposed to have any clothing except their night clothes.

Q. Did you ever put the jacket on Mrs. Norcross with nothing but her night-clothes on her at any time ?

A. At night, certainly I did.

Q. You would put her in bed with a jacket on ?

A. Yes, sir.

Q Is it not a very easy matter for her to get out of bed with the jacket on?

A. Yes, sir; there was more restraint.

Q. What other restraint was there?

A. Well, I was authorized to tie her down.

Q. Just state how you done that, Miss Alexander; did you have any assistance while doing all this?

A. Yes, sir; I did have assistance.

Q. Was Miss Kate Coulter assisting you?

A. She sometimes assisted me.

Q. What was the character of that additional restraint you used? You say she could get out of bed having nothing but the sleeves on?

A. Well, there was what we call armlets around the arm, and then there was the strings put through there, and the same around the ankles, and they were tied on to the bed.

Q. State how that was tied—with ropes or chains?

A. No, sir; they were ticking strings that was furnished us.

Q. Strong—to hold her?

A. Yes, sir.

Q. Was her hands up this way? [Describing.]

A. No, sir.

Q. Legs out this way?

A. No, sir.

Q. Limbs—how were they tied?

A. Against the bedstead.

Q. The foot-board?

A. In the position the patient would be supposed to be lying on the bed; we always have an idea where the feet would be when lying on the bed and the strings would be tied that way.

Q. After you have the strings around the ankles, where do you tie them to?

A. To the side-board, like.

Q. Do you put a strap across the bed—right across this way to hold them down?

A. I was told to do that with Miss Norcross.

Q. I understand that you did this with authority?

A. Yes, sir; and to keep the clothes on her, and her from getting cold.

Q. The strap was placed across her chest?

A. Well, I don't know whether it was just placed across her chest or not.

Q. Across the body somewhere?

A. Yes, sir.

Q. For the purpose of holding her?

A. Yes, sir; and for the purpose of keeping the clothing on her, tied so that she could not get cold at night.

Q. When did you receive your instructions to tie the patients down this way? Was it general instructions you have, or did you have some special instructions?

A. Of course I had some special instructions; but I received my instructions from the Doctor and Miss Hope.

Q. In this particular case where you tied Miss or Mrs. Norcross to the bed with a strap, in the manner in which you have narrated, did you have any special instructions that day to do that?

A. I had special instructions to do so with her always—

Q. You had general instructions?

A. Yes, sir.

Q. No special instructions for that time?

A. No, sir; just general instructions.

Q. Miss Alexander, after you had Miss Norcross strapped to the bed in the way in which you indicated, have you any recollection—I want to try to refresh your recollection—any recollection of her being maltreated and abused, while lying prostrate and unable to defend herself, in any way whatever, in the manner in which you placed her?

A. No, sir.

Q. You never knew of any indignity put to her?

A. I never knew of her being maltreated in any way.

Q. Did you ever know of any water being thrown upon her?

A. Yes, sir.

Q. Miss Coulter testified to your throwing a bucket of water upon her.

A. I never done such a thing—never, and never knew it to be done.

Q. Did you ever throw any water upon her?

A. Yes, sir; by order of the physician, I threw a cupful or a glassful of water on her.

Q. Why did you do so?

A. To bring her out of a fit of holloing and screaming.

Q. Did it prove successful?

A. Yes, sir; it did.

Q. That would quiet her, when you threw the water on her?

A. Yes, sir.

Q. You say you don't know of any bucket of water ever being thrown on Mrs. Norcross? Could such a thing have happened in the ward without your knowledge?

A. Well, really, I don't think it could.

Q. Would it be possible for such a thing to have happened—was Mrs. Norcross ever confined to her room without your being there to assist?

A. I believe I was almost always there, for I had received such strict orders to look after Miss Norcross, for she was so very suicidal. I felt it so in my mind that I could not be at rest unless I looked after her.

Q. What was her peculiar manner of manifesting her suicidal intentions?

A. Well, in that she tried it a great many ways.

Q. Tried to hang herself?

A. Yes, sir; she did. She tried to swallow pins, and she would often bite the buttons off her clothing so that it became necessary to sew strings on her clothes and tie them to her.

Q. Couldn't you accomplish it with locking her in the room without tying her down to the bed?

A. That was my orders.

Q. You just received your orders?

A. Yes, sir.

Q. Your name is not Sadie Alexander?

A. No, sir.

Q. Is there a young woman here by that name?

A. No, sir.

Q. Was there ever a Miss Alexander—a Sadie Alexander—an attendant?

A. Yes, sir.

Q. How long ago?

A. Well, she was attendant in the third ward when I first came here.

Q. It was an entirely different ward?

A. Yes, sir.

Q. Is she here yet?

A. No, sir.

Q. What has become of her?

A. I don't know anything about her.

Q. She has left the institution?

A. Yes, sir.

Q. What ward was she in?

A. The third ward.

By Mr. Graham:

Q. You utterly deny throwing or knowing any person to throw a bucket or half a bucket of water on Mrs. Norcross?

A. I do.

Q. Or any water out of a bucket?

A. I deny it.

By Mr. McKenna:

Q. This Sadie Alexander, who was formerly an attendant, was in the third ward, you say?

A. Yes, sir.

Q. She hadn't anything to do with these patients—Miss Norcross, Miss Mitchell, Katie Fondelier, Miss Seltzer, or Miss Watt; those patients were all in different wards from what you was, I understand?

A. Yes, sir.

Q. They were where?

A. They were in different wards.

Q. You are the Miss Alexander referred to by Mrs. Catharine Elizabeth Coulter?

A. Yes, sir; I know I am the person referred to.

Q. You have used the term in your testimony about a patient being strapped down to a bed—Miss Norcross; explain to the committee whether you mean a leather strap?

A. No, sir; I didn't mean a leather strap—ticking strings.

Q. What is it made of?

A. Cloth.

Q. Just describe it.

A. Well, I believe it is canvas.

Q. How broad is it?

A. It is that broad across, [describing.]

Q. Would you call it a bandage?

A. Oh, it wouldn't be a strap, of course.

By Mr. McKenna:

Q. You put her to bed and put this canvas strap across her; did you tie a knot in the back to make her suffer punishment?

A. No, sir; I did not. I always tried to put it to the side and rear as much as I possibly could.

Q. Have you known active and suicidal patients to untie the knots with their teeth?

A. I have known the patients to get the sleeves off them.

Q. Could not they untie the knot where they are tied to the side—if they are convenient to the side, could the patient untie them?

A. They might, possibly, if they were tied on the side so that they could get their head around and get hold of them with their teeth.

Q. Would it not be the object to tie the knot so far behind as you could that they could not reach it?

A. Well, the only object with me was to try to get it tied securely, so

that she could not get it loose—so that she could not accomplish what I believed to be her aim.

Q. This knot was tied on the back when she was walking around?

A. Yes, sir, I believe.

Q. There was no impropriety in tying it in the back when she was walking around?

A. No, sir. I always tried, as I said, to get it to the rear of the side as much as possible and yet feel that they were secure.

By Mr. Reed:

Q. On what part of the arm did you put those armlets—where is the string put?

A. The string is put through eyelets in the armlet.

By Mr. McKenna:

Q. Mrs. Mary Coulter testified that on one occasion you kept Miss Norcross tied down in bed with clothes after throwing this bucket of water on her, and that you permitted her to remain with all her wet clothes—

A. I never threw a bucket of water on her—

Q. And the window was kept up, and she caught cold. Do you remember anything of that, at all—is that so?

A. No, sir; I never threw a bucket of water on her.

Q. This lady—Miss Coulter—charges that you threw a bucket of water on her, and that she was strapped to the bed, and tied down, and that you dashed the cold water on her face, wet all her clothes, and allowed her to remain all night. How about the wet clothes?

A. The clothing was not wet.

By Major Walker:

Q. Where did the water go which you threw?

A. There was no water thrown.

By Mr. McKenna:

Q. A tumblerful was dashed in her face?

A. Yes, sir; a cupful of water. I didn't consider that it wet the canvas sleeves so that it become necessary to change her clothing.

By Major Walker:

Q. I might ask you the question whether you wiped her face after you threw the water in her face?

A. I don't remember nothing about it.

Q. You may state whether it was customary or not, after the water was thrown in that way, to do so?

A. I don't know what other people done.

Q. You may state what your custom was.

A. I can't say that it was my custom.

Q. You may state if you ever knew of this Miss Norcross maltreating or abusing any of the attendants.

A. No, I never knew of her maltreating them.

Q. Did she make any demonstrations in her violence?

A. She at one time pushed me down into a seat and got my keys, and called for some of the other patients to come and help her to get to the dining-room, until she could get a knife. I also called on another patient to come, and by her help I got from her.

Q. Could she have got into the dining-room?

A. Why, if she had the keys she could get in there—the woman knew enough to open the door.

Q. Do you know Miss Clara Coleman, who was an attendant in that ward with you?

A. Yes, sir.

Q. Do you remember the instance described by Miss Coulter, of Mrs. Seltzer being put in a hot bath?

A. No, sir; I never knew anything about that.

Q. Do you know of any such occurrence?

A. I never knew of any such occurrence.

Q. Were you in that ward?

A. I was in there.

Q. You would have known if it had occurred?

A. I think I would.

Q. Did you ever see any evidence of Miss Seltzer being scalded and abused?

A. I never did.

Q. Did any of the skin peel off from the hot water?

A. No, sir; it never did.

Q. Did you ever hear Miss Seltzer cry out, when she was in the bath-room, from pain or suffering from the hot water?

A. No, sir; I don't recollect of hearing her.

Q. You would have had as good opportunities of seeing that done as Mrs. Mary Coulter?

A. I think I would, sir.

Q. When you were passing in and out of the ninth ward occasionally, did you have occasion to do that, Miss Alexander?

A. I did at times go.

Q. Had you any opportunities of observing how Miss Elizabeth Coulter discharged her duties? Did you see what she was doing about there? Did you see her at all?

A. I have seen her, of course, in the ninth ward.

Q. What did you see her doing? Was she discharging her duties satisfactorily?

A. I was seldom—I can't say nothing with regard to that.

Q. You can't say nothing with regard to that?

A. No, sir.

Q. You were not enough about Mrs. Coulter to know?

A. No, sir.

Q. About Miss Kate Coulter. You think you saw enough of her in your daily observation to give an opinion?

A. Yes, sir; I do.

Q. Do you know of any cruelty in the way of refusing patients, in actual need of a drink of water, water?

A. No, sir.

Q. Do you know patients going to bed crying from hunger and thirst?

A. No, sir.

Q. Do you know of attendants going about crying with hunger?

A. No, sir.

Q. Or complaining of hunger?

A. No, sir.

Q. Did you get enough to eat as an attendant in that ward?

A. I did, sir; always got plenty to eat.

Q. Was it good, wholesome quality?

A. Yes, sir; substantial.

Q. Did you eat at the same table with Miss Kate Coulter?

A. Yes, sir.

Q. Did she seem to partake of her rations with a relish?

A. Well, she did at times.

Q. Did she take sugar?

A. I presume she did.

Q. Was it the same food that the patients received?

A. Yes, sir; the same food.

Q. The patients got the same sugar you did?

A. The very same.

Q. Did you ever hear Miss Coulter complaining of being distressed with pains and sickness in the stomach from taking the sugar she eat there?

A. No, sir.

Q. Miss Alexander, I think we asked you this, but I see it more specifically here, that you were one of the attendants that dragged Kate Lavery the whole length of the hall by the hair of the head. Just state how that is.

A. I deny ever doing such a thing.

Q. Did you ever know of any persons to?

A. No, sir.

Q. You may state what manifestations of insanity Miss Lavery was subject to; not going to her room or getting out of her rooms; just tell the committee—how did she show it?

A. Well, she was very stubborn and very obstinate, and a self-willed and determined patient; she was a suicidal patient.

Q. Did she cling to the balustrade and banisters when you wanted her to go to her room?

A. Yes, sir; and she would seize right hold of it and hold on there.

Q. Where?

A. Anything she could get hold of.

Q. When it was the proper time for her to go to her room?

A. Yes, sir.

Q. Was it necessary to force her—did you ever pull her away?

A. Yes, sir; it was. When it was time to put her to bed, and she was sitting there, I would have to insist; there was no such thing as coaxing her to do it.

Q. You tried to coax her?

A. Yes, sir; she wouldn't converse or do anything.

Q. Was she stubborn and disobedient?

A. Yes, sir.

Q. You never knew of any attendants abusing her or pulling her by the hair to get her to come?

A. No, sir.

Q. You may state, generally, in your own way, about the character of the food that the patients and attendants got during the time that Miss Coulter was here?

A. I will say that it was good, substantial food, sufficient in quality and quantity.

A. I understood you that though you were reported yesterday as saying that the meat and food were tainted, that you were misunderstood.

A. Yes, sir.

Q. You want to say now that the food was healthy and wholesome?

A. Yes, sir.

Q. You are charged also with cruelly and harshly dragging Katy Fondelier from the bed—an insane patient—when she was sick and unable to move.

A. I deny that, emphatically.

Q. You may state what you know about Katy Fondelier's form of insanity—how she showed it—and her treatment generally; you had a good deal to do with her, hadn't you, when she was in your ward?

A. Yes, sir.

Q. Was she suicidal?

A. I don't know of her being suicidal.

Q. Do you know of her being kept for ten weeks in a dark room without a bed?

A. She always had a bed in her room to sleep in.

Q. You saw that yourself?

A. Yes, sir.

Q. Do you know why she was confined in her room at all?

A. Well, I suppose she was kept there for security part of the time.

Q. Did you ever know of her running off?

A. Yes, sir.

Q. Do you know how she escaped?

A. There was once she escaped down the dust-chute.

Q. Do you remember, Miss Alexander, when Miss Coulter was reproving you for exhibiting some severity with Miss Norcross, and you told her to take Miss Norcross herself and put her to bed, do you remember how she got along with Miss Norcross—do you remember the occurrence? Just tell it your own way.

A. I heard so. I didn't see that—

Q. Then that was not with you personally?

A. No, sir.

By Major Walker:

Q. I want to ask you, Miss Alexander, with reference to Miss Coleman. It is alleged that Miss Coleman took Miss Seltzer or Miss Norcross, or some of the other lady patients there, and subjected her to scalding water. Now, it is the custom of the ward in which you are in—for instance, yourself—if you have one of the lady patients that desires to take a bath, do you take her yourself or do two attendants go?

A. That depends upon the kind of patient.

Q. Ordinarily—would one attendant be sufficient ordinarily?

A. With some patients—a great many patients.

A. How would it be in Miss Seltzer's case—would Miss Coleman be sufficient to go with her into the bath-room and assist her in taking a bath?

A. Yes, sir; I think so.

Q. Then, if anything should have occurred in the bath, and the bath-room is closed up, as I understand it, when they were bathing there,—

A. Yes, sir.

Q. You probably would not have heard anything that occurred in there, you not being in there yourself?

A. I certainly think I would have heard the commotion if she had been forced into the tub of hot water. Of course she would have made cries, then, of course,—

Q. Any loud and piercing cries you could hear—suppose you were down at the further end of the ward, would you hear it unless it was a very loud and piercing cry?

A. I would hear the cry.

Q. It would have to be pretty loud?

A. No, sir; it would not. I could hear from one end of the hall a very ordinary cry.

Q. Your hearing is very good?

A. Yes, sir.

Q. The water that the patients have to drink—is it out where they can all get it at any time?

A. No, sir; it is not.

Q. If the patients require any water, do they have to ask for it?

A. Yes, sir—drinking water.

Q. Miss Alexander, when the patients retire, are they locked in their rooms?

A. They are.

Q. What becomes of the attendants—do they retire to their rooms also?

A. Yes, sir.

Q. Suppose, at any time, a patient was in a fever and desires water, how would they be able to get it, being locked in their rooms and the attendants asleep in there—supposing they wanted some water or any other attendance?

A. Well, if they were locked in their rooms and wanted water, they would have to call for it; when I hear a patient call for water, I respond to their call.

Q. If you were asleep what would be the facilities of your hearing? You are in your room and the door is closed and they are in theirs and the door is closed—could you hear?

A. It would be supposed that I would hear them.

Q. Did you ever know of Miss Kate Coulter receiving personal supplies of her own for her own table?

A. No, sir.

Q. Never knew of her having got her own supplies?

A. I will tell you what I did know; I knew of her at one time procuring some—I believe it was—cocoa shells to make tea of; she claimed it was healthy. She was constantly complaining of her delicate state of health when she was in my ward.

Q. Did you never know of having any tea?

A. Aside from that I don't know.

Q. Your answer is you don't know?

A. No, sir.

Q. Could she have had any without your knowing?

A. I don't think she could; she would have to have made it about the table.

Q. You were asked by Mr. McKenna whether you ever assisted in dragging Miss Lavery—dragging her by the hair along the ward?

A. No, sir.

Q. Was she ever dragged by any person that you know of—not by the hair—in any other way?

A. We have been compelled to take her along as best we could, at times, into the room or away from the door when she would escape out of the door.

By Mr. Graham:

Q. It has been in testimony before, but in the multitude of questions we sometimes obscure knowledge; you have testified that the patients in section nine do not have free access to drinking water at all times; is the reason of that because they are liable to defile the water?

A. Yes, sir; I think that was the reason.

By Mr. McKenna:

Q. Sick patients at nights who want water. State if there is any rule of this establishment requiring the attendants to sit up with them when they are feverish.

Q. Why, certainly; the doctors require us to sit up with them.

Q. Haven't you frequently, and others?

A. Certainly I have.

Q. So that if any time at night a patient is sick and requires attendance one of them stays up in the different wards?

A. Yes, sir.

By Chairman McCrum :

Q. Required by whom ?

A. Required by the Doctor.

By Mr. McKenna :

Q. You say those orders are carried out with respect to the persons who are complaining when they are put to bed at night, a person is detailed to sit up with them ?

A. Yes, sir.

Q. Is there a transom over the door of each room ?

A. Yes, sir ; the transoms are always open. There is no way of closing them.

By Mr. Graham :

Q. Do I understand that you, at all times, as well as your assistants in the ward, answer the calls of the patients at any time ?

A. Yes, sir.

Q. That was part of your duty to respond to any calls on the part of the patients ?

A. Yes, sir.

By Major Walker :

Q. Did you ever refuse at night, at any time, to respond to a call made to you ?

A. I think not.

By Mr. McKenna :

Q. You have been asked some questions. Did you ever know of Miss Kate Coulter to have any more hysterical scenes than the one you described so graphically with the mouse ; was she subject to hysteria—sickness of any kind there ?

A. I don't know that I could just mention now any other that she made so evident as that.

Q. She made it most evident on that occasion ?

A. Yes, sir.

On motion of Major Walker, adjourned until two o'clock.

And now, to wit, two o'clock, p. m., parties met pursuant to last adjournment.

Present : Chairman McCrum, Senator McNeill, Representatives Walker and Graham, C. F. McKenna and James A. Reed, Esqs., of counsel for respondents, and witnesses, and the hearing of testimony proceeds.

Miss CLARA COLEMAN, a witness who re-appeared before the committee, and being first duly sworn, testified as follows :

By Major Walker :

Q. You were examined yesterday, Miss Coleman, were you ?

A. I was.

Q. Miss Coleman, I wish you would state whether you were ever connected, officially, with this asylum.

A. Yes, sir ; I was connected with the institution as a nurse.

Q. When did you come here ?

A. I came on the 16th of August, 1872.

Q. 1872 ?

A. Yes, sir ; 1882, I mean to say. I was here one year, and I left the following October.

Q. Just state to the committee whether you was here as an attendant or surplus.

A. I was here as a surplus when I first came, and afterwards become an attendant.

Q. When you first came here what duties were assigned you?

A. The duties of a surplus are, to take the place of the attendants where they are out of the wards, and doing and seeing after the house, and of course during the time you were in the ward in the evening to assist in anything that is required.

Q. It is Dr. Reed and Dr. Hutchison who have immediately charge of the female department. Do they require of surplus attendants to do any menial labor—are they required to do the sweeping and scrubbing?

A. I believe they are required to assist.

Q. Just state whether you ever assisted in scrubbing the floors.

A. I did, emphatically.

Q. What ward were you assigned?

A. Tenth ward.

Q. Were you there all the time?

A. I was there all the time.

Q. How long were you surplus in the tenth ward?

A. I don't think longer than six weeks—six weeks or two months; I can't answer correctly any nearer than that.

Q. Then you were promoted to an attendant?

A. I was.

Q. Was there any additional pay?

A. Yes, sir.

Q. How much more did you receive as an attendant than you did as surplus?

A. When I was first surplus and promoted to the place of attendant I received two dollars more.

Q. You got fourteen first?

A. Yes, sir.

Q. Then you received sixteen when you became an attendant afterwards?

A. Yes, sir; afterwards.

Q. Had you any additional duties assigned to you as an attendant other than you had performed as a surplus?

A. Yes, sir.

Q. Just state to the committee what they were.

A. Well, I had charge of part of the ward, and I had charge of the patients, to a great extent.

Q. Hadn't you that same duty to perform as a surplus—hadn't you charge of the patients when you were called in?

A. Certainly, at the request of the nurses, I had to assist them in anything.

Q. Then the nurses or attendants were your superiors while you were a surplus?

A. Yes, sir; they were rather in more superior—

Q. Did you receive your orders from them?

A. I didn't.

Q. Whom did you get your orders from?

A. Dr. Hutchison, and Mrs. Reed, in the first place; when I first came in from Mrs. Reed; I received instructions in the parlor in regard to nursing patients, afterwards from Dr. Hutchison and Miss Hope.

Q. What other attendants were there when you were surplus—who were the attendants?

A. Miss Alexander was the other attendant.

Q. Who was the other—there was two attendants?

A. When I first came, Miss Gray.

Q. Did you ever receive any instructions from Miss Alexander as to what your duties were as a surplus, when you came into the tenth ward?

A. Not any more so, except when things occurred—when anything occurred in the tenth ward she told whether I was to do it.

Q. Just told you what you were expected to do, and you considered it your duty to do so?

A. I did.

Q. Who was the other attendant after Miss Alexander or Miss Gray?

A. I took Miss Gray's place.

Q. Then, when Miss Gray left, the two attendants were Miss Alexander and yourself?

A. Yes, sir.

Q. Who was surplus after you?

A. Well, there was quite a while after I took my place we didn't have a surplus girl; I believe the first surplus girl was Miss Coulter.

Q. It was Miss Coulter, not Mrs. Coulter?

A. Miss Kate Coulter.

Q. How long had you been an attendant before Miss Kate Coulter was assigned to ward No. 10, as a surplus?

A. I suppose six months; from four to six months; I couldn't answer that.

Q. I ask you the question, whether there was any additional duties imposed upon you as attendant other than that of a surplus. I don't think you answered that question. Had you any other duties to perform as an attendant, than you had as a surplus?

A. I think I answered the question—well, I had charge of the dining-room of the ward; I performed my duty there, in regard to it; that I didn't have to do before that.

By Senator McNeill:

Q. You felt more responsibility?

A. Yes, sir; I did.

By Major Walker:

Q. How long had you been in the establishment when you were promoted to an attendant?

A. I think from six weeks to two months.

Q. Not to exceed two months?

A. I think not.

Q. Your pay was increased two dollars?

A. Yes, sir.

Q. Was Miss Kate Coulter assigned to your ward when she first came here to join the institution?

A. Yes, sir.

Q. Did she spend her time in the sewing-room at first or did she spend it mostly in the ward where you were?

A. If I recollect, in the sewing-room.

Q. How often would she come into the ward?

A. She boarded in the ward; came in to her meals; slept in the ward.

Q. Did she take any part in assisting to take care of the patients at that time?

A. No, sir.

Q. How long had Miss Kate Coulter been in the asylum before she assisted as a surplus in taking care of the patients?

A. She assisted, of course, what she did assist, which was very little, when she was called on to assist with the patients. I can't tell you just when she commenced that; how long after she had been in the ward.

Q. She became a regular attendant after a while in ward No. 10?

A. She never was placed.

Q. Never was?

A. No, sir.

Q. Whenever you required a surplus for ward No. 10, whom did you call for?

A. I don't understand what you mean in that way. Our surplus girls—every ward didn't have a surplus girl.

Q. Was Miss Kate Coulter ever sent as a surplus in ward No. 9?

A. No, sir.

Q. Was she ever a surplus girl in any other ward except No. 10?

A. No, sir.

Q. When I ask you whom you would call in as a surplus in ward No. 10, it would be Miss Coulter, would it not?

A. Yes, sir.

Q. We have located her as a surplus in ward No. 10, in which you and Miss Alexander were the attendants?

A. Yes, sir.

Q. How often would Miss Coulter come into ward No. 10 to assist you and Miss Alexander in your respective duties?

A. How often would she come in—

Q. Yes, ma'am, would you have to send for her every time you wanted her?

A. We never sent for her.

Q. How would she come there?

A. Being in the ward, she never was called on to do anything when she was there—

Q. You told me a moment ago she was in the sewing-room.

A. Yes, sir.

Q. How did she get out of the sewing-room into the ward?

A. Never without orders from Miss Hope.

Q. How often would she be ordered out of the sewing-room into ward No. 10?

A. Never except in an emergency, when one of the other girls would be out.

Q. About how often would it occur?

A. Not often.

Q. Once a week?

A. No, sir; once every three weeks is all we ever left the ward.

Q. Would it be only once every three weeks?

A. Perhaps.

Q. Then she would be in ward No. 10 about once in three weeks to assist you, as I understand you to say?

A. Yes, sir.

Q. Did you ever have any difficulty of any kind with Miss Coulter?

A. Yes, sir.

Q. Would you be kind enough to state to the committee the origin of the difficulty—what it was?

A. Well, the origin of the difficulty originated, in the first place, in her meddling herself about the way things were done in the ward.

Q. In what way? Explain yourself as you go along. How would she be meddlesome?

A. She meddled about the patients ; she meddled about things we were expected to do there in doing our duty ; she meddled in regard to that ; and she meddled in regard to the patients in different respects.

Q. If you would only explain what you mean by meddling—we do not understand it ?

A. I just wish you did understand it as well as I do, then it would be easy for me to explain to you.

Q. I am sorry we don't. In your own way explain how she meddled with you in the ward.

A. Well, very frequently when we were using any restraint on a patient, at the orders of the docters, she would interfere, and tell us such and such things should not be done. Of course, we were only complying with our duty, and, when she did this, as a matter of course, it caused us to have hard feelings.

Q. Do you now remember, Miss Coleman, of any particuar instancee, or the name of any patient that Miss Kate Coulter interfered with, or became meddlesome in your treatment of a patient ?

A. I do.

Q. What is the name ?

A. Miss Norcross.

Q. What was the trouble with Miss Norcross ?

A. She was an insane patient.

Q. I mean her peculiar malady ;—was she suicidal, or was she not ?

A. Yes, sir.

Q. And you had to guard against that ?

A. Yes, sir.

Q. What were you doing, or you and Miss Alexander doing, when Miss Coulter meddled with you ?

A. Well, I was tying Miss Norcross down one night—was securing her to the bed, as we were ordered to place it.

Q. Who gave you those orders ?

A. Doctor Hutehison.

Q. Was this in the evening ?

A. Yes, sir.

Q. Did he give you the orders in the afternoon or in the evening ?

A. We had a standing order.

Q. Just a general order ?

A. Yes, sir.

Q. Then there was no special order so far as Miss Norcross was concerned ?

A. No, sir.

Q. Explain, if you please, what you mean by tying her to the bed—what were you doing ? You must remember, Miss Coleman, we are obliged to ask you many things that are very simple to you, that we don't know anything about at all. We have to ask these questions, but don't wish to irritate you in any way whatever.

A. Well, any patient that was suicidal, we were expected to restrain them by putting the strait-jacket upon them, and also tying them upon the bed at night, to keep them from destroying themselves, and we were doing this at the time.

Q. What did Miss Coulter do to meddle with you ?

A. I asked her to come and help me at the time—at the time this occurred, and she said she didn't believe in any such thing, in any such way of doing, and rather refused to do so, and to such an extent her and I had words over it.

Q. She didn't, then, meddle and interfere with your securing Miss Norcross?

A. No, she didn't do anything.

Q. When you spoke about meddling you didn't mean it in that sense—that she interfered with you—you didn't mean it in that way?

A. She interfered with me inasmuch as she told me she thought I ought not to do so. I call that interfering.

Q. Do you remember any other instance in which she meddled with you?

A. I don't recollect any other.

Q. Then that is all the difficulty you ever had with Miss Coulter—she thought you were harsh in your treatment of the patients?

A. Yes, sir; and various little petty things that I didn't—she spoke of at times.

By Mr. McNeill:

Q. In exercising this duty, were you trying to prevent Miss Norcross from injuring herself—did you think it absolutely necessary to fasten her at the time?

A. Certainly I did.

Q. Do you think that Miss Coulter found fault through a spirit of humane feeling or some spirit of fault-finding with you—do you think she was instigated to make these remarks by a feeling of tenderness for the patients, or was it otherwise?

A. Well, I can't answer that; I can't answer. I think—I know that she didn't like—that there was no good feeling towards us; but what her feeling was in regard to that I don't know.

Q. You could not form any opinion, could you?

A. No, sir.

By Major Walker:

Q. Did you taunt her any when she first came there?

A. I didn't.

Q. Didn't any of the attendants?

A. No, sir.

Q. Not to your knowledge?

A. No, sir.

Q. Did you ask her to do certain duties which you ought to do?

A. I never knew of her being asked to do duties but what was expected of her.

Q. Did she do them?

A. She did sometimes.

Q. Did she always?

A. I don't think she did.

Q. Where the attendants didn't do their duties they are required to do, is there a report made of it to Doctor Reed or Doctor Hutchison?

A. There is a report made of it to Miss Hope.

Q. Was there any report made to Miss Hope of Miss Kate Coulter not performing her duty?

A. I believe there was.

Q. Do you know of any?

A. Yes, sir.

Q. Who made it?

A. Mattie Alexander.

Q. Did you hear her when she made it?

A. Yes, sir.

Q. Were you present when she made it?

A. Yes, sir.

Q. State what Miss Mattie Alexander said to Miss Hope in reference to Miss Kate Coulter.

A. Well, I remember her saying something about scrubbing—I can't answer that question because I don't know enough about it.

Q. You said you did know.

A. I knew of this charge—I know there was something of that kind, but what it was——

Q. Were you present?

A. I was present, too.

Q. Still you don't know what it was?

A. I know it was something either about scrubbing the landing or the hall.

Q. Where do you reside?

A. Dayton, Armstrong county.

Q. Why did you leave the asylum?

A. Well, I left the asylum.

Q. Yes, we are aware of that; why did you leave it?

A. I left the asylum, I believe, because one of the patients got away from me one day when I was out walking; I believe that is, as near as I know, what I left for.

Q. Were you discharged?

A. I believe you would call it discharged; yes, sir.

By Mr. Graham:

Q. You disclaimed in your testimony yesterday of putting a patient in a bath-tub that had very hot water in it?

A. I did.

Q. Please tell us all about that.

A. Well, I saw the statement in the paper yesterday that I was accused of putting a patient in hot water, and I, of course, denied it emphatically; I even don't know what call there was for it.

Q. You say, then, no such occurrence took place?

A. Not to my knowledge; I never done it.

Q. It is also stated that you and another assistant dragged a patient by the hair of the head down the hall; do you know of any occurrence of that kind?

A. No, sir.

Q. Is that true or not?

A. It is not true.

By Major Walker:

Q. Did you ever have any difficulty with Katy Lavery in trying to get her into her room?

A. Yes, sir; I have. Katy Lavery was of a very stubborn disposition, and at times we had to force her to do things.

Q. Would she lie down on the floor and have to be pulled into her room?

A. Yes, sir; and she would get hold of anything she could.

Q. Have you any recollection of her lying down on the floor so that you would have to get her by the arms and drag her into the room?

A. I don't remember anything about that.

Q. She would simply catch on the settees and seats that were fastened?

A. I remember one time she went by me when I was going out to church, and we brought her in from the landing.

By Mr. Graham:

Q. If I understand you, then, it was necessary for you to exercise force enough to get her into her room?

A. Yes, sir.

Q. As to the food—you were interrogated yesterday—had you plenty of good, substantial food?

A. Yes, sir.

Q. The patients had the same food that the attendants had?

A. Yes, sir.

Q. How many months were you in the institution?

A. Twelve.

Q. From your general observation of the management and conduct of the entire house, is it your impression that it is conducted kindly or otherwise—that the patients in other wards—were the patients, so far as you have any knowledge, treated kindly or were they treated harshly?

A. They were treated kindly.

By Major Walker:

Q. Had you any knowledge outside of ward ten?

A. Some little—what I seen passing backward and forward through the house.

Cross-examination:

By Mr. McKenna:

Q. Miss Coleman, I didn't understand you to answer very definitely to Mr. Walker in reference to the meddling and interfering with Miss Coulter; how do you mean that she meddled and interfered? Do you mean by that she didn't help you?

A. Yes, sir; quite frequently; she didn't; she refused.

Q. Do you mean, also, by that, any case where she actually reproved or chided you or other attendants for the exercise of the proper restraint towards patients?

A. Yes, sir.

Q. Did she claim to know her duties and the duties of other attendants better than theirs?

A. I don't know that she did.

Q. I mean from her manner of talking and criticising?

A. Yes, sir.

Q. She set up her judgment against you and the others?

A. She did.

Q. Against the doctor, too, I suppose? Did she advocate a certain method about treating these patients?

A. Yes, sir; she did.

Q. Do you know anything about her advocating the water cure?

A. She talked very favorably of the water cure, of course; it is the one thing she talked more of than anything else during the time she was here.

Q. I wish to read to you just a paragraph of the testimony that she gave describing an instance, and I wish you would give your explanation of it, if you can. [Reading.]

"Q. Miss Coulter, state to the committee whether you ever saw Miss Seltzer maltreated or abused by any of the attendants, and, if so, by whom? Go on and tell what you know of any kind of treatment that you saw Mrs. Seltzer receive from Mrs. Coleman, one of the attendants?

"A. I seen Miss Clara Coleman whip her over the hands with her keys until she would cry, and I have seen her do that repeatedly; I have also seen her put her in a bath so hot—

"Q. I want you to explain that fully.

"A. In a bath so hot that Mrs. Seltzer cried, and refused to get in; the water was steaming hot; I could not bear it.

"Q. Did you put your hand in?

"A. I put my hand in; the water was steaming hot; and Mrs. Seltzer would put one foot in, and then pull it out, and said she could not get in. I spoke to Mrs. Coleman, and said that the water was too hot; and she said she would teach her to get in. She did, finally, compel her to get in with both feet, and, after she had done that, she turned the cold water on.

"Q. You saw this?

"A. Yes, sir."

I wish you would state if you have any recollection of any such scene or transaction at all. In the first place, whether it occurred at all or not; first, whether you beat her over the hands with the keys, and then, whether you made her get into the bath?

A. I deny the whole thing, and I don't know even what it originated from. Miss Seltzer was a woman that would not have known enough to beg of me not to do these things.

Q. What do you mean by this—she was an imbecile?

A. Yes, sir; she would sit for hours, unless we would speak to her to startle her.

Q. She is demented, is she?

A. Yes, sir.

Q. You are charged here with beating her cruelly with keys.

A. I deny it.

Q. You pronounce that a fabrication altogether?

A. I do.

Q. Did you yourself, or any of the other attendants in that ward, so far as you know, refuse the patients who really needed a drink drinking water?

A. No, sir.

Q. Did you ever know of it being done?

A. No, sir.

Q. Patients who were competent and able to take care of water in the rooms, was it allowed to be placed there—a tumblerful?

A. Yes, sir.

Q. About the sick patients who need water and attendance at night. You may state the rule of the hospital, so far as you know, about patients and the attention they get at night if they are sick.

A. Well, they just get the very best attention that a person could get when they are sick; at least, I have always seen it.

Q. Does any one sit up at night?

A. Yes, sir; always if a patient is sick in the ward one of the attendants sits up in the night and attends to them, and does everything that can be done.

Q. Do you know of any patient at all, during the time of your connection with the hospital, being hungry for the want of food?

A. I don't.

Q. Crying for food?

A. I don't.

Q. Did you know Miss Diamond?

A. I did.

Q. Was she in your ward?

A. Yes, sir.

Q. Did you ever see Miss Alexander, or any of the other attendants, just throw water in her face to enrage her, and to amuse themselves? Were things so monotonous sometimes that you did that to stir up the animals?

A. Well, I think, generally, we had plenty to do without stirring them up.

Q. For you there was no amusement in that?

A. Not any.

Q. Did you ever hear Miss McCaslin? Was she in your ward?

A. No, sir; she was not in our ward, but I know her.

Q. Do you know anything about the treatment of Katy Fondolier? It was alleged that she was confined in her room ten weeks in a dark room.

A. Yes sir.

Q. Do you know anything about that?

A. Yes, sir.

Q. With no bed?

A. I don't know anything about that.

Q. Had she a bed in the room?

A. She had.

Q. Was there a window in the room?

A. There was.

Q. You saw the window?

A. Yes, sir.

Q. Do you know why she was put in the room?

A. I believe for making her escape from the asylum.

Q. Was she washed and dressed daily?

A. She was.

Q. You know that?

A. Yes, sir.

Q. Was she put there for punishment or merely for safety?

A. For safety, I understood.

Q. Why was that—how did she differ from other patients?

A. Well, she escaped from the institution a couple of times.

Q. I will ask you the general question, if, from what you saw generally, during your connection with the institution, there was any unnecessary restraint used on patients?

A. No, sir; I don't know that there was anything used that wasn't necessary.

Q. Did you ever see any punishment inflicted on patients as punishment?

A. No, sir.

Q. Did you ever see any attendants or yourself inflict blows or abuse patients for retaliation for anything they had done?

A. No, sir; I did not.

Q. Do you know of any of the attendants being attacked, assailed, or injured by patients?

A. I have; yes, sir.

Q. Was that a very frequent occurrence?

A. Well, it was not infrequent at all in our ward.

Q. Have you been attacked?

A. Well, I have been scratched, bitten, kicked, and have had my hair pulled good many a time.

Q. I want to read a very pathetic paragraph which Miss Coulter got off in her testimony here, descriptive of Katy Fondolier's last experience, and where she couples your name with it, and ask you know about that—you knew Katy Fondolier?

A. I did, and I think that Katy Fondolier was used as well as a patient could possibly be.

Q. She was well liked, wasn't she?

A. She was, indeed.

Q. Was there any manifestations of sorrow and regret when she died?

A. Yes, sir; I should say there was.

Q. Speaking of Katy Fondolier Major Walker asked this question, and it led into quite a lengthy answer, [reading:]

“Q. Did she die after she was taken out of this dark room?”

“A. I don’t remember exactly the length of time, but she was out three or four weeks when she began to complain. She was usually a great worker, and very willing to help the girls to do the work. At this time she refused to work when she had been out a few weeks, and said she was not able to, and didn’t feel well. Her case was reported to Dr. Hutchison, who gave her some medicine, and she refused to take it, and said it made her sick. That was reported to the doctor by Miss Alexander. He said it was hysterics, and if she didn’t take it never mind. They at first said they would tube her if she would not take it. They didn’t tube her, and the doctor said to let her alone, and the doctor said she would come to after a while. She didn’t get better, and one Saturday night, after she had been complaining two or three weeks, she called in the night time. She first called Miss Alexander, and then Carrie Coleman; she called all the girls. She wanted them to send for the doctor. She was very sick. They said that night she didn’t need any attention, and shut her in the room again until the next day. We thought her mind was wandering. She talked rather strangely, and on Monday she was very insane, and didn’t know anything or any person, and kept calling for Katy Fondolier. On Monday evening she was better, and we put her to bed, and on Tuesday morning—on Wednesday morning; Tuesday she was better all day—on Wednesday morning about four o’clock she wakened me and called me. I went to her, and she asked for a drink of water. I got the water and gave her a drink, and when I gave it to her she said it was so warm she could not drink it, and asked me to let the water run a while to let it get cold. I said, “Why, Katy, it has been running,” and I asked her to come to the bath-room, and she said it was so hot in there she thought it would smother her; and Mrs. Whiffin, a patient who was with her, said, “She is very sick; I am afraid we are going to lose Katy.” I went back about half past seven o’clock, when Clara Coleman, who went past Katy’s room, called her, who had to take the patients to the bath-room in the morning and wash them, to get up and get washed. Katy replied she could not get up, and asked her if she would not bring the water to her; that she was too weak to get up. She said, “No; that if you can’t come in a few minutes I will come and help you.” I was passing with the pitchers in my hands, and she asked me to get some water; I had the water pitchers in my hand, and asked me to take the water to her bedside; that she was too weak to get up. I told her if she would wait until I had set my pitchers down I would. When I went back to Katy I saw that she was up and dressed, and she sat down on one of the settees. She went into another room—she occupied another room than the dark room while they were fixing her—she went into another room, and Miss Alexander took her by the arm and ordered her to get up—that she had made the bed once; and she told her she couldn’t, but she ordered her to get up and cross the hall into another room on the bed.”

What is your recollection of the last moments of Kate Fondolier?

A. Well, I can tell you, and give you my recollection. Katy Fondolier was in our ward for some time—I couldn’t tell you the length of time after the second time she got away from the hospital—and, during the time she was there, I never knew of her being treated anything but kindly; I think we rather indulged her many a time. I remember well, too, the morning she died. I went and wakened up the patients myself. I had to go to Katy’s door and ask her to get up and get washed for breakfast. She made a remark she wasn’t feeling well, and would like to have water

brought to her. I answered, "Very well, Katy; if you are sick, I will send the water to you, but if you are not, you must get up, like the other patients." I went to the bath-room, and Katy was the second or third patient, and came of her own free will. I remarked to her, at the time, she was looking pale, as though not feeling well. She said she didn't feel well. She said she wanted to go to bed, and she went and laid down, and Mattie came along and fixed her. She didn't eat very much breakfast, and she died about ten o'clock. But I am sure there wasn't anything cruel or unkind in any respect.

Q. Have you known the physicians of the hospital to go in to the patients at night, and attend them?

A. I have; yes, sir.

Q. The sick ones, have you?

A. Yes, sir.

By Mr. Graham:

Q. When you first came to the institution, as employé, were you directed or instructed by Doctor Reed or any of the others in there, as to the treatment of the patients; that you should treat them kindly, and use great forbearance with them?

A. Yes, sir; I met Mrs. Reed, and those were the instructions she gave: to treat our patients kindly, and not use force, unless it was necessary; of course, those restraints we had to, we used them, but we were charged to be kind with the patients.

Q. Were you told that, if you used any unnecessary severity, you would be discharged?

A. I don't know whether we were told in just those words, but we were made to understand that.

Q. Was that the impression made on you?

A. Yes, sir.

By Mr. McKenna:

Q. On the question of authority, did you have any authority, as an attendant, or any of the other attendants, to tie patients down to the bed without consulting the doctors or Miss Hope?

A. No, sir.

Q. It wasn't a mere notion or whim of yours?

A. No, sir.

Q. You always had to get instructions for that from the doctors?

A. Yes, sir.

By Mr. McNeill:

Q. When you spoke about these Coulter girls interfering with your business—that is, meddling—did you mean by that that she would talk with the patients and try to create a feeling against you girls?

A. Yes, sir; she did; she talked to the patients a great deal more than was sanctioned by the doctors and the nurses.

Q. Did you let the Doctor or Miss Hope know anything about that?

A. I think the Doctor and Miss Hope both knew of it.

Q. I think you said, either to-day or yesterday, that she was gossiping or carrying tales from one place to another?

A. Yes, sir; I said so.

By Major Walker:

Q. Did you ever assist Miss Seltzer in the bath-room?

A. I suppose like'y I have helped to bathe Miss Seltzer, as I have the rest of the patients; but I never recollect any such occurrence as I am charged with there. I don't recollect it at all.

Q. Have you any recollection of Miss Seltzer saying to you that the water was too hot to put her feet in?

A. Indeed, I don't. What was more, Miss Seltzer would not have had sense enough to have said that to me.

Q. Didn't she imagine that the water was too hot when it was not hot?

A. Not that I recollect of. I don't have the least idea what this story was founded on—these other stories—this story of Katy Fondolier. There was some other stories she might have founded it on, but Miss Seltzer I don't know nothing about.

Q. You spoke about Katy Fondolier being in a dark room. She had a bed there. Just state to the committee whether it was not a mattress laid on the floor.

A. It was a bed on the floor.

Q. No bedstead?

A. No, sir.

Q. Just a mattress?

A. It was a good bed made on the floor.

Q. Did you ever know of any water being thrown in the face of Miss Norcross?

A. Yes, sir.

Q. State what you know about that.

A. I knew once of a glass of water being thrown in the face of Miss Norcross by order of the Doctor.

Q. Dr. Hutchison?

A. Yes, sir.

Q. Who threw it in her face?

A. Miss Alexander.

Q. Was it a general order, or a special order?

A. Well, the Doctor himself was present at one time——

Q. How do you happen to be here to testify in this case? Were you sent for?

A. Well, I wasn't exactly sent for. I heard of the affair, and came to the city myself. Of course, I was afterwards notified about the affair.

Q. Were you asked to come and testify?

A. Yes, sir. I came on my own account as much as anything else. I was very indignant at what I seen and knew to be false, and I could not think of allowing it to remain uncontradicted.

Here, on motion of Major Walker, the committee took a recess for half an hour.

AFTER RECESS.

Miss JOSEPHINE McCASLIN, a witness who appeared before the committee, and being first duly sworn, testified as follows:

By Major Walker:

Q. Miss McCaslin, are you connected with the asylum here?

A. No, sir.

Q. Were you ever at any time connected with it?

A. I was.

Q. When did you first become connected with the establishment?

A. October, 1881.

Q. In what capacity?

A. As attendant.

Q. In what ward?

A. The ninth.

Q. Was that the ward that Mrs. Coulter was in?

A. The same; yes, sir.

Q. Were you ever a surplus?

A. I was; just three or four days.

Q. What were your duties as a surplus?

A. Well, I was in the dining-room most of the time while I was a surplus.

Q. Then you were afterwards appointed as an attendant and assigned to ward No. 9, as I understand?

A. Yes, sir.

Q. Who was the assistant attendant with you in ward No. 9?

A. Miss Blackwood.

Q. Was there a woman confined in ward No. 9 by the name of Miss Mitchell?

A. Yes, sir.

Q. As an attendant, between the hall-girl and the other, the dining-room-girl, did you distinguish between them in some way?

A. No; both attendants, as I understand it.

Q. Was Mrs. Coulter in that ward?

A. Yes, sir.

Q. In what capacity was she?

A. Well, she was a surplus, then afterwards she was an attendant.

Q. Have the surplus girls any duties in the dining-room, assisting there?

A. Occasionally.

Q. When you speak of the dining-room-girl, is it a regular attendant or is it a surplus as contradistinguished from the hall-girl? I understand you to use different terms.

A. We have our work, and the hall-girl has her work, and the dining-room-girl has certain work, we both have to do hall work, or I did.

Q. State what your duties are. In the first place just mention who gave you your instructions as to what your duties were.

A. Miss Hope.

Q. Who is Miss Hope?

A. She is the supervisoress.

Q. Now, what instructions did she give you, as an attendant?

A. Well, she told me to take care of the insane, and there was a person there before me, and I was to do as she wanted me to.

Q. Who was that person?

A. Miss Blackwood.

Q. Was she your superior?

A. Yes, sir; I presume that is what she would be called.

Q. Was she simply an attendant also?

A. Yes, sir.

Q. Did she receive the same compensation that you did?

A. No, sir.

Q. How much did you receive?

A. Fifteen dollars, I believe.

Q. What did Miss Blackwood?

A. I think it was seventeen.

Q. It wasn't fourteen and sixteen, at one time?

A. It was at one time.

Q. Did they increase your wages by two dollars instead of one?

A. Yes, sir—I don't know whether they increased it two or one—yes, sir; it was one dollar.

Q. One dollar?

A. Yes, sir.

Q. Then your wages would be fifteen dollars?

A. Yes, sir.

Q. Miss McCaslin, I wish you would state what kind of a patient Miss Mitchell was, whether she was a difficult patient to manage, and what her peculiar form of malady was.

A. Well, she was a very difficult one, indeed; she always wanted to do just what she should not do—contrary and obstinate.

Q. I will read to you a little bit of testimony of Mrs. Coulter's, for the purpose of having you explain, in your own way, whether it is true or not:

"A. Well, I would state, in the first place, Mrs. Mitchell was a very difficult patient to manage—her mind was almost gone; and I saw Miss McCaslin push her when she would rise from her seat to go across the ward. I have seen her push her violently against the room—the settle—to compel her to sit there. I have seen her take her hands, and in attempting to put them in the muffler—a muffler, a mitten; they are placed on the hands and locked, then a strap goes around the waist—the strap is clear around the waist, and that holds their hands in that (describing) position—and in attempting to put her hands in she would resist, and I have seen her take her keys—after a girl is hall-girl she has from ten to twelve keys—I have seen her take her keys, and strike her hands, and compel her to put them in it."

I wish you would state if ever, at any time, you used your keys in the manner just described there by Mrs. Coulter?

A. I rapped Miss Mitchell with a key, not keys, with one key, and it was to make her give up the strap, and not to make her put her hands in a muffler.

Q. Did you have only one key?

A. I had a number of keys; I only used one key to strike her fingers.

Q. You say, then, you only struck her with one key?

A. I rapped her fingers with one key.

Q. Were the balance of the keys on a ring?

A. Yes, sir.

Q. You held, of course, then, the other keys in your hand, and struck her with one key?

A. Yes, sir.

Q. Have you any recollection of drawing the sleeves on Miss Mitchell so tight that it would make her groan, at any time?

A. No, sir; she never groaned from the tightness of the sleeves.

Q. What would she groan for?

A. She groaned at everything; if we wanted her to go to the dining-room she would groan.

Q. What reason have you to believe that she was not groaning from the tightness of the sleeves?

A. Just from the fact that the sleeves were not tight.

Q. Weren't they tight?

A. No, sir.

Q. Isn't it necessary to make them tight?

A. No, sir; to secure them, not tight, though.

Q. Did you have to put your foot against her as you would sit by her on the seat, and then against her stomach?

A. No, sir; any one who had put on a strait-jacket would know you could not do that.

Q. You are not at present connected with the asylum?

A. No, sir.

Q. When did you leave ?

A. Last April.

Q. Why did you leave ?

A. Well, I didn't want to stay any longer.

Q. You left of your own volition, did you ?

A. Yes, sir.

Q. Did you have any difficulty with any person connected with the asylum ?

A. Not any, except Mrs Coulter.

Q. You had some difficulty with her ?

A. Yes, sir ; frequently.

Q. Just state what that was—what difficulty you had with her.

A. Well, Mrs. Coulter refused to do the work ; said it was my work not hers.

Q. What work was that ?

A. Well, the work that devolves upon the attendants.

Q. Did you order her to do it or tell her to do it ?

A. No, sir ; I didn't.

Q. Who did ?

A. Miss Blackwood, the hall-girl.

Q. She told her to do the work ?

A. She told her the work was to be done.

Q. What work was it ?

A. I don't remember. I think it was scrubbing.

Q. Did she refuse to do the scrubbing ?

A. She did for us.

Q. For us ?

A. For Miss Blackwood and I.

Q. Did you ask her to do the scrubbing ?

A. I told her it was her work.

Q. Was it any more her work than yours ?

A. Yes, sir.

Q. By whom were you told to do that ?

A. It was from Miss Hope ; she told her.

Q. The instructions were from Miss Hope ?

A. Yes, sir ; and Miss Blackwood.

Q. You were not to do the scrubbing ?

A. Not that.

Q. Neither of you two. It was her duty to do it ?

A. Yes, sir ; that part of it.

Q. Did you have any other difficulty ?

A. Not any that I can recollect of.

Q. Just that one ?

A. Only that one.

By Mr. McNeill :

Q. Miss McCaslin, you have been questioned in regard to the rules existing between the attendants ;—that is, the attendants and surplus, as you call it—was it customary for a new surplus, when they come in there, to take instructions from the older attendants ?

A. From Miss Hope and the older attendants.

Q. And these Coulter girls wouldn't take any advice and instructions from the older attendants ?

A. No, sir ; they wouldn't take advice in a pleasant manner.

Q. Did she actually refuse to do as she was requested to do, or did she do it in a way that was disagreeable ?

A. Disagreeable; yes, sir.

By Mr. Graham:

Q. From your observation, while you was employed at the institution, was the treatment of the patients kind or otherwise?

A. It was kind.

Q. Did you ever, at any time, see any cruelty to patients?

A. Never.

Q. What was the character of the food—was it wholesome and abundant?

A. Abundant and wholesome.

Q. You never had any occasion to complain?

A. No, sir.

Q. You had the same food that the patients had?

A. Yes, sir; the same food that the patients had.

By Major Walker:

Q. Did you ever know of Miss Coulter having any additional food except what was provided by the asylum?

A. I believe, while she was in the city, she bought apples and such things as that.

Q. Do you ever remember of her buying any tea?

A. No, sir; I don't know anything about it.

By Mr. McKenna:

Q. Mrs. Coulter was in the same ward with you, was she not?

A. Yes, sir.

Q. Was she there during the whole of her service in the institution?

A. I believe she was; yes, sir.

Q. How long was she acting as attendant—was she surplus first?

A. I could not tell.

Q. About what period of time before she left did she act as an attendant?

A. About three weeks.

Q. Then her experience and observation as an attendant would be limited to three weeks before she left, and that in your ward?

A. Yes, sir.

Q. What ward is that?

A. The ninth ward.

Q. Miss McCaslin, you have read the reports of Miss Coulter's testimony as published in the papers, have you?

A. Yes, sir.

Q. You have heard where it implicates you in some cases of severity?

A. Yes, sir.

Q. You may state to this committee your explanation, if any, of those charges. Can you recall them? Just state to the committee in your own way. You are here for that purpose.

Q. Well, I deny ever abusing any one of any of the patients.

Q. Was Mrs. Mitchell in your care during the whole time you were in that ward?

A. Yes, sir.

Q. Did you ever strike her with the keys or abuse her?

A. I rapped her with the keys—with a key.

Q. Just state the circumstances under which that occurred.

A. Well, she wore mufflers to prevent her from eating her hands. She would bite her fingers, and in putting those on before I got them on she took hold of the strap—wouldn't let go——

Q. What strap is that?

A. The strap for the fastening of the mufflers around the waist.

Q. What size strap is that?

A. An inch and a half or an inch broad.

Q. That was part of the mufflers, was it?

A. Yes, sir; part of the mufflers.

Q. What difficulty had you with her to get them out of her hands?

A. It was an utter impossibility for one to get it away from her. She was very strong.

Q. Do you know what she wanted the strap for?

A. Yes, sir.

Q. Just state.

A. She was suicidal, and if she had gotten the strap she would perhaps have used it for the purpose of hanging herself.

Q. Had she made frequent attempts?

A. Frequent attempts.

Q. Had she accumulated articles in her pockets and around her person?

A. Yes, sir.

Q. State if it was necessary to frequently search her.

A. Yes, sir; we intended to do that every night to find out.

Q. How did she get these articles?

A. They were torn from the patients' dresses, and if the patients tore their clothes, she would get the strips, and gather up different things.

Q. As I understood you she refused to give up the strap, and she was contemplating suicide with it?

A. Yes, sir.

Q. Was it in your effort to get it that you used the key?

A. Yes, sir.

Q. Miss McCaslin, just state the number of keys you had.

A. Well, we had a number of keys for the different doors and windows.

Q. But on this occasion you were endeavoring to get the strap away, state whether you had more than one key, or if you only used one key.

A. I only used one key.

Q. Miss McCaslin, did you consider that abuse or injury in any way?

A. No, sir.

Q. It was for her benefit—to make her let go of the strap?

A. For her own benefit.

Q. It was not as a punishment?

A. No, sir; it was not as a punishment.

Q. Did it injure her at all?

A. No, sir; it did not.

Q. Is that the only time you did that?

A. That is the only time I can recollect.

Q. Was Mrs. Coulter present at that time?

A. I could not say whether she was or not.

Q. Do you remember of her remonstrating about it?

A. No, sir; she never remonstrated to me about any of my conduct.

By Major Walker:

Q. Why would she let go, if you struck her with the key, if it didn't hurt her?

A. I suppose it stung her a little.

By Mr. McKenna:

Q. Was it necessary to pry her hands open occasionally?

A. Yes, sir; she would frequently catch hold of any person coming into the room, and it would frequently take two of us to get her to take her hands off.

Q. Did she ever grasp you?

A. No, sir.

Q. Did she ever grasp any person ?

A. Yes, sir.

Q. Just state whom.

A. Doctor Reed.

Q. Had she to be dragged away ?

A. Yes, sir ; it took two of us to take her from him.

Q. How would you get her to loose the persons she clutched that way ?

A. It would always take two of us, to take her fingers and work with her to get them loose.

Q. Was she stronger than you, and more powerful ?

A. She was.

Q. I presume you could not have got the strap from her without that ?

A. No, sir ; I could not.

Q. You have seen her on many occasions, and you can state whether she was more violent and determined to hold on to that strap, on the occasion when you rapped her hands, than when you had seen her on other occasions ?

A. She was.

Q. Did you try all other means before you rapped her on the knuckles ?

A. I did.

Q. It was as a last resort that you applied to that ?

A. Yes, sir.

Q. She has improved somewhat, I believe ?

A. Yes, sir ; very much better.

Q. Do you know of any other attendants treating her in the manner that was charged as unkind here by the Miss Coulters ?

A. No, sir ; I never knew of any one treating a patient unkindly.

Q. Did you know Mrs. Watt that was here ?

A. Yes, sir.

Q. Do you know anything about her malady ? What was her peculiar malady ?

A. She was suicidal.

Q. Well, was it violent ?

A. Very violent.

Q. Did she give the attendants much difficulty ?

A. A great deal.

Q. From her violence ?

A. Yes, sir.

Q. Miss McCaslin, Miss Coulter announced, or Mrs. Coulter charged in her testimony that you tauntingly provoked Mrs. Barnhardt with charging her with having murdered her husband, etc. Do you remember any occurrence of that kind ? Is that true or false ?

A. It is false.

Q. You pronounce that false ?

A. Yes, sir. I have talked with her on the subject and she has with us. I have no doubt that she has said many funny things we would laugh at, but never with the intention of taunting her.

By Major Walker :

Q. Did you ever in any other way ?

A. No, sir ; we talked with her and tried to get her to give up the delusion.

By Mr. McKenna :

Q. That was her own delusion ?

A. Yes, sir.

Q. Do you know of any of the attendants teasing or taunting patients ?

A. No, sir; I never knew of any.

Q. Was it contrary to the rules?

A. Yes, sir; it would be; that is what it was naturally supposed to be.

Q. Do you know, in that ward, of any punishment being inflicted upon the patients in violation of the rules—anything of that kind—anything beyond the restraint necessary to restrain?

A. No, sir; only just in two instances.

By Mr. Graham:

Q. Miss McCaslin, this strap you speak of, was it made of leather or cloth?

A. It was made of leather.

By Mr. McKenna:

Q. Was there any strap or article of that kind used by the attendant for punishment—for striking patients?

A. No, sir.

Q. Is there any weapon or article used for that?

A. No, sir.

Q. Miss Coulter charges that you struck and pinched Miss Mitchell on her person several times until she cried, "Oh, don't, don't," from punishment. Is that true?

A. No, sir; that is not true.

Q. You say that is not true?

A. I deny it.

Q. Miss Coulter charges that Miss Mitchell was fed by violence—by putting a knife into her mouth and cutting her tongue or lips with the knife. Do you know anything about that?

A. No, sir; I never did it. She was feeding her once and she refused to open her mouth, and she forced the spoon into her mouth.

Q. Who was that?

A. Miss Coulter herself, and there was blood came out of her mouth at the time.

Q. Was there more force used than was necessary?

A. No, sir; I didn't consider it cruel.

Q. It was an accident?

Q. An accident is what it was.

Q. You were charged by Miss Coulter with having struck Mrs. Schilling in the face.

A. I deny that emphatically of ever doing that.

Q. She has charged that Miss Hope stated when Miss Coulter complained to Miss Hope about you, that Miss Hope said you had made a similar complaint about Miss Coulter, and she could not tell which had lied. Do you know anything about that?

A. No, sir.

Q. Do you know Katy Haley—an inmate?

A. Yes, sir.

Q. Just state what you know about her.

A. Well, she was a patient that had to wear mufflers to keep her from scratching, and one day she had the mufflers off and she scratched me, and Mrs. Coulter stepped up and interfered and pushed her back, and struck her with the keys on the hands.

Q. Did Katy Haley ever attack you?

A. Yes, sir.

Q. Just describe that, if you please.

A. She attacked me once and scratched me on the face, and Miss Coulter interfered.

Q. Did she strike you violently ?

A. No, sir ; she just scratched. She didn't mean to strike, just scratch.

Q. Who interfered ?

A. Mrs. Coulter.

Q. What did Mrs. Coulter do ?

A. Mrs. Coulter shoved her back and struck her with the keys.

Q. Where did she strike her—what part of her person ?

A. I think it was her hand.

Q. Miss Norcross was not in your ward ?

A. No, sir.

Q. Nor Mrs. Seltzer ?

A. No, sir.

Q. Do you know anything of Katy Fondolier ?

A. No, sir.

Q. What kind of sugar did you have ?

A. We had white sugar, and brown sugar once or twice.

Q. During your time you had brown sugar only once ?

A. It was once. I don't know whether it was twice or not.

Q. I want to ask you the general question, Miss McCaslin, from your service as an attendant, in carrying medicine backward and forward through the different wards, wouldn't you know enough of the general treatment of the patients in all the wards ? Would you know something of that ?

A. I would know something of it.

Q. You can state, from what you saw in your daily travels in your ward and others, whether the treatment was humane or kind or otherwise ?

A. It was always very kind ; nothing but kindness ; I never saw anything but kindness from the attendants to the patients.

Q. Did you know of any patients going to bed hungry and crying for food ?

A. I never knew of any patients going to bed hungry.

Q. When did you first hear that ?

A. I believe I read it in the papers.

Q. In Mrs. Coulter's testimony ?

A. Yes, sir.

Q. Had Mrs. Coulter, while in your ward, any medical theories and ideas to advance about the treatment of patients different from the hospital method ?

A. Yes, sir.

Q. What was her opinion ?

A. She thought the water cure was the proper treatment.

Q. Did she discant upon that point ?

A. She did, she thought it was the panacea for all ills.

Q. Just state what she said about that.

A. Well, from her experience she thought she knew more how to care for the insane than Dr. Hutchison, from her experience at the water cure.

Q. Was Miss Coulter frequently sick herself while in that ward ?

A. She was sick.

Q. Did she apply the water cure or apply that of Dr. Reed ?

A. No ; she sent for Dr. Reed.

Q. She followed Dr. Reed's prescription ?

A. Yes, sir.

Q. State how you come to sever your connection with the institution ; how did you leave Dixmont, did you resign ?

A. I resigned.

Q. Gave notice?

A. Yes, sir; and gave notice.

Q. You can just state how you came to attend here as a witness.

A. I came here of my own accord to defend the institution and myself.

Q. Where is your home?

A. At present I don't know as I have any home.

Q. Where have you been staying for some time?

A. The last place I was in Edinburgh, Erie county.

Q. Pennsylvania?

A. Pennsylvania.

Q. Some charges were made here—I wish you would explain them in your own language—in reference to the cooking and the quantity and quality of the food; what do you say about the cooking itself, did it suit the patients?

A. Yes, sir; I thought so.

Q. Just explain what you would say about the cooking.

A. I would say it was as good as could be had cooked in such large quantities; that is my opinion.

Q. Were you present when the water was alleged to be dashed in the face of Miss Norcross?

A. No, sir.

Q. Do you know anything about Miss Coulter using cold water applications?

A. No, sir; I don't know anything about that.

Q. You might state, Miss McCaslin, if you know anything about Miss Coulter interfering with the attendants in that ward, and state what it consisted of; did she interfere or meddle in any way?

A. Yes, sir.

Q. Use your own language, and describe it.

A. Well, she thought we could arrange our work differently—

Q. Did she express it and say so?

A. Yes, sir.

Q. Whom to?

A. Well, to Miss Blackwood and myself.

Q. Just state if the Coulters, from your own knowledge, commented upon the doctor or other attendants in connection with the wards.

A. Yes, sir.

Q. What did they say—how did they talk about them?

A. Well, they thought that Dr. Hutchison didn't know very much; they said that the attendants knew more than he did in regard to the patients and how to treat them, and didn't think that he was competent as a physician.

Q. Did she say that often?

A. Yes, sir.

Q. Did she say it to you and to the other attendants?

A. She said it to me and Miss Blackwood.

Q. Dr. Hutchison was the physician in charge of the female department?

A. Yes, sir.

On motion of Mr. Graham, adjourned until Wednesday morning, March 7, A. D. 1883, at ten o'clock.

And now, to wit, March 7, A. D. 1883, at ten o'clock, A. M., parties met at Dixmont, pursuant to last adjournment.

Present: Senators McNeill and Hart, and Representatives Walker and

Graham; C. F. McKenna, Esquire, of counsel for respondent, and witnesses, and the hearing of testimony proceeds.

On motion of Representative Graham, seconded by Senator McNeill, Senator Hart was chosen chairman *pro tem.* during the absence of Hon. J. J. McCrum.

Miss McCaslin, a witness who re-appeared before the committee, and testified as follows:

By Major Walker:

Q. Miss McCaslin, you testified here yesterday that you, upon one occasion, struck Mrs. Mitchell with a key; did you wish to be understood positively that in striking her with the key that it was only one key?

A. I do.

Q. Do you wish to be understood that you struck her only once?

A. Yes, sir; so far as I can remember I struck her but once—at that time, you mean?

Q. Yes, ma'am; at that time.

A. No, sir; I rapped her two or three times with a key.

Q. Did you ever at any other time strike Miss Mitchell with the keys?

A. I can't remember ever doing so.

Q. You don't remember?

A. No, sir.

Q. Did Miss Coulter ever remonstrate with you in reference to alleged harsh treatment of the patients?

A. No, sir; she never did.

Q. She never said to you that she thought that such and such treatment was cruel?

A. No, sir; she never said it to me.

Q. Do you remember Mrs. Mitchell being fed at one time with a knife, so that her mouth was forced open with either the blade or the handle of the knife, so that it injured her in some way that her mouth bled?

A. I know nothing about it.

Q. You have no recollection of anything of that kind?

A. No, sir. Do I understand you to mean that it was me?

Q. Oh, no; not you.

A. I remember of the time of her being fed, and her mouth bled—I don't know whether it was with a spoon or knife or fork.

Q. But some instrument of that kind was forced into her mouth?

A. Yes, sir; just as I stated yesterday; Mrs. Coulter done it.

Q. I don't know as I remember—I am asking you the question of where you reside?

A. Well, at present, I have no home.

Q. Have no home?

A. No, sir.

Q. Are your parents dead?

A. My mother is living.

Q. Where is your mother?

A. My mother is in Omaha, Nebraska.

Q. Have you resided any portion of your time in Erie county?

A. I have.

Q. What part?

A. Edinburgh.

Q. Did you attend the normal school there?

A. Yes, sir.

Q. As a student there?

A. Yes, sir.

Q. I didn't understand that you struck Miss Mitchell a blow at all?

A. I rapped her on the knuckles.

Q. That was to make her release the strap that she wished to commit suicide with?

A. Yes, sir.

By Mr. Hart:

Q. Was she a suicidal patient?

A. Yes, sir.

By Major Walker:

Q. She is still here?

A. Yes, sir.

By Senator Hart:

Q. How old a woman is she?

A. I could not say her age.

Q. Can you give us an idea?

A. I presume it was thirty.

By Mr. McKenna:

Q. Have you seen her since you came back?

A. Yes, sir.

Q. Is she now very convalescent?

A. Yes, sir.

Q. Have you been talking to her?

A. Yes, sir.

Doctor J. A. REED, who re-appeared before the committee and examined by Major Walker, testified as follows:

Q. Doctor, I desire to ask you a few additional questions in addition to the examination you have already undergone, and the first is, what authority is granted you by the board of managers for the purchase of supplies for the asylum?

A. All necessary supplies—I am authorized to purchase all necessary and regular supplies.

Q. Just explain what you understand by regular and necessary supplies.

A. Supplies for food and fittings for the engineer and small articles for the farm. Anything that involves a large purchase of one, two, and three hundred dollars and upwards, is done by the consultation with the committee.

Q. The authority granted to you by the board of managers, it is by resolution of the board?

A. I don't know whether it is or not. I don't keep their minutes.

Q. Where do you receive your instructions?

A. My instructions are from the executive committee.

Q. I wish you would state in full, briefly, the manner in which supplies are furnished to the asylum, whether it is done by advertisement—that is, as far as your personal authority is concerned.

A. It is not done by advertisement. We advertise for beef and coal.

A. I only have reference to the authority that is given you.

A. It is not done by advertisement, except for beef and coal.

Q. State the manner in which those supplies are furnished.

A. I order them or purchase them personally.

Q. I presume it would be well, Doctor, to tell the dividing between your authority and the authority of the board of managers, as far as the purchase of supplies are concerned.

A. Well, the authority of the board of managers covers everything

they delegate to me, as I said before, the authority to purchase the regular supplies.

Q. What are we to understand by that?

A. All that is necessary for food for the patients.

Q. Is that bought in small portions?

A. Monthly supplies.

Q. Monthly supplies?

A. We generally buy monthly and during the month, if we run out, buy any article needed.

Q. How often do you buy supplies for the asylum?

A. Just when they are needed.

Q. For the purpose of information, how often does that occur?

A. It may occur one month oftener than another; we may run out of coffee in the middle of the month and have to purchase for another.

Q. Is it your object in making these purchases to purchase for one month?

A. Yes, sir.

Q. You are liable to run short?

A. Yes, sir.

Q. Why are you liable to run short?

A. In ordering four bags of coffee, the bags of coffee may not contain as much in one purchase as they would at another time.

Q. Do I understand you that you purchase a bag of coffee having so many pounds in it and run short?

A. Yes, sir; they have so many pounds just as a bag of flour has so many pounds in it.

Q. Are the supplies, as purchased by you in the manner in which you have stated, are they always delivered to you in accordance with the provisions of the contract that you make with these parties?

A. As much so as they are in any other institution.

Q. I wish to simply ask you the question whether they always comply with their contract?

A. Not invariably so.

Q. Have you ever had occasion to return or in any way to find fault with the character of any of the supplies furnished you?

A. I don't recollect that we have occasion to return any groceries furnished for the past several years, except butter; the butter is not always good.

Q. Are there any other kind of supplies furnished you which you have returned?

A. I don't recollect of having any.

Q. Is there any articles that are not strictly in accordance with your contract—I mean personal contract; for instance, you order a barrel of sugar—I mean to ask you the question, when you order sugar, tea, or coffee, and it is supplied, whether you have had occasion to find fault with the character of those goods delivered to you?

A. Not with those articles.

Q. Have you found fault with any other articles?

A. Only butter, we have once or twice; the housekeeper, in accordance with the instructions I have given her, when the butter is not of good quality, that she must return it, and she has on one or two occasions returned it.

Q. Have you ever had occasion to find fault with the meats you have furnished you?

A. That is going back over twenty-six years.

Q. Say in the last two or three years.

A. No, sir ; some fifteen years ago we got some meat from a butcher who was not very reputable ; it wasn't of good quality.

Q. Some fifteen years ago ?

A. Yes, sir.

Q. And none since ?

A. Not within the last four or five years.

Q. Have you any special place or person from whom you purchase your supplies ?

A. We purchased our supplies from the same party during last year, for the whole year.

Q. Just state who.

A. Charles Richardson—I believe Charles E. Richardson—beef, meat, veal, and meats except dried meats.

Q. In reference to other articles, and other supplies, by whom are they furnished ?

A. We buy them wherever we can get the best quality and the lowest rates.

Q. No special place ?

A. No, sir. We buy our groceries from Reymer, Porterfield, Dilworth Brothers, T. C. Jenkins, all first-class groceries.

Q. Where do you purchase your clothing ?

A. In the city of Pittsburgh, of Klee & Co., and Klee Brothers ; we buy them on the same principle, wherever we can get the cheapest, and of the best quality.

Q. Using your best judgment ?

A. Our best judgment in purchasing. They make our clothing up according to measures we give them of the men patients ; in that way we get it to suit our patients better than if we bought it all ready-made. We send the measurements to them.

Q. What do we understand by clothing ?

A. The outside clothing that a man wears.

Q. You don't mean underwear ?

A. We buy underwear from Jamison & Co., Arbuthnot, Stevenson & Co., and Shannon & Co.

Q. Also on the same principle—any place where you can buy to advantage ?

A. Yes, sir ; where we can buy to advantage.

Q. In that class of wear you purchase, can you purchase by measurements ?

A. We do, except the underwear ; of that we purchase by certain numbers for the patients.

Q. We have got the supplies purchased, give us the manner in which the supplies are paid for, give us the routine that is necessary in order to pay those bills.

A. You mean as to the examination of those bills ?

Q. I mean this, I mean a complete history of it, in the first place where do you get your money to pay for the clothing, and supplies ; in the second place, the manner in which the payments are made, whether receipts are taken for them, and if so what becomes of the receipts. Give the whole history of that matter ; in the first place, where do you get your money to pay for it ?

A. Those are two points that require explanation ; the money comes from the counties and townships from which the patients are sent to the hospital, and also from the State by appropriations.

Q. Does that money come to you ?

A. No, sir; it comes to the treasurer; it may be paid in to me and I hand it over to the treasurer; part of it, not all of it; it is supposed to go to the treasurer.

Q. If the money goes to the treasurer, how do you get possession of the money?

A. The money is paid in to me by the counties and townships.

Q. You have got to pay it to the treasurer?

A. Yes, sir; I don't pay the bills; the committee audit the bills, and they are paid by check signed by three managers of the committee; those bills are paid by our order and that check is drawn and goes to the treasurer, and the party goes there and gets the money.

Q. Allow me to ask you a question; this committee, they examine those bills?

A. They audit those bills.

Q. Does their authority extend beyond auditing these accounts?

A. They audit all the bills there are for one month; then the treasurer's accounts are audited once a year by the committee, a special committee appointed by the board.

Q. Then they are paid by order of the treasurer?

A. Yes, sir; signed by three members of the committee.

Q. The committee give a check to these individuals from whom these things are purchased?

A. Yes, sir; it is given to the individual, and they go with that to the treasurer, and he gives them the money. In giving that check to the party from whom the purchases are made, they are required to give a receipt; then the treasurer holds the check as his voucher for the money paid out.

Q. Do you certify that the bill is correct?

A. I certify that the bill is correct.

Q. And other parties certify to you that it is correct?

A. Yes, sir.

Q. When these articles are furnished here upon your order, say ten barrels of crackers, they are ordered by you; how are they sent, by the person from whom you purchase, to Dixmont Hospital?

A. Shipped.

Q. Who receives them?

A. Two or three parties take a note of them.

Q. Give us the first person.

A. The farmer—or the man at the station-house receives them first, the agent of the railroad company.

Q. Who does he turn them over to?

A. He turns them over to the farmer who hauls them to the places they belong to.

Q. Who does he deliver them to?

A. If flour, to the baker; if groceries, to the housekeeper; if clothing, to the porter. If for the men, he takes it to the male store-keeper, and for the women, to the female store-keeper. If for the farmers' use it is delivered to the barns, and so on; if fittings for the engine, it is delivered to the engineer—to whatever department they go to, and the heads of these departments certify that it is delivered to them, and it has arrived in accordance with the purchase. For instance, the baker certifies that he has received so many barrels of flour; the farmer certifies he received so many, and delivered to the baker, who corroborates that he received so many barrels of flour, and then he gives me also an account of the use he made of them.

Q. Is there any possible way for any of your subordinates to receive

goods of any kind that are not in accordance with the contract you have made? for instance, let me explain—you have ordered ten barrels of crackers; you get ten barrels of crackers, apparently, but some of them only two thirds full.

A. The porter is instructed to weigh those barrels and to report correctly how much they contain—if they are in accordance with the bill.

Q. Who is the porter?

A. He is supposed to be a man of sufficient intelligence to do that.

Q. Suppose he is a dishonest man?

A. The housekeeper would know if the goods ordered by her or requested by her is not in the quantity she desired.

Q. Does she open the barrel?

A. She uses the crackers after the head is taken out, and when they are opened she would have a knowledge of the contents.

Q. That would be a check?

A. That would be a check.

Q. Doctor, is it also within the requirements of your duty to furnish all supplies for the maintenance and management of the farm?

A. They are ordered by me; the farmer himself purchases.

Q. Just explain, in detail, how that is done.

A. If the farmer wishes to make a purchase of a horse, he consults with me as to the price and quality of the animal before making the purchase. If I approve of it he purchases it; otherwise he does not. If he wants to purchase oats he gets permission from me to purchase one hundred bushels of oats, and he reports the purchase, and the bill of the purchase comes to me. A check in payment of the oats is drawn to the order of the person from whom the oats were bought, and the order or checks go to that party; he goes to the treasurer or where he sees proper, or gets it done in some other bank—gets it cashed in some other bank.

Q. With reference to any other supply?

A. That would cover all the supplies about the farm.

Q. When you purchase a wagon-load of oats, as your farmer does at your order, as I understand you, he gives an order upon you for so many bushels of oats received?

A. Gives me a statement that he has received so many bushels of oats, and that it has been weighed by the weigh-master.

Q. That is a separate person?

A. That is another party, whose duty it is to do the weighing, and there is a ticket just the same as you receive in the city for coal, that the oats have been furnished.

Q. Where is this weigh-master?

A. On the premises; he is in the employ of the hospital.

Q. What are his special duties?

A. He weighs the coal, weighs the hay, weighs anything we wish to have weighed, and, when not employed in that, he is engaged on the farm.

Q. Doctor, for the management of the farm do you employ a superintendent?

A. I have what we call a farmer.

Q. How is he employed?

A. He is employed by me, with the approval of the committee.

Q. What are his duties?

A. He looks after all the farm work, farm employés, and their out-of-door work.

Q. A general superintendence?

A. Yes, sir.

Q. How is he paid?

A. He is paid by a check on the treasurer, signed by three members of the executive committee.

Q. Has he a stated salary?

A. Yes, sir.

Q. What is his salary?

A. One hundred dollars a month.

Q. How many acres have you that are tillable here?

A. We have between three hundred and seventy and three hundred and eighty acres of land.

Q. How much of that land is arable?

A. The farmer can give you a better idea than I can.

Q. He employs his assistants?

A. He employs them by my direction.

Q. What assistants has he?

A. He has a teamster, farm laborers, a florist—a man to attend to the green-houses—we call him a florist.

Q. One teamster?

A. No; several teamsters; we have an omnibus driver and three or four others that he calls teamsters.

Q. How many teams have you?

A. I think we have eleven horses altogether.

Q. And you have, then, four teams?

A. Four teams, I think.

Q. That would leave you some supernumerary horses for emergency?

A. The farmer can give you that.

Q. Doctor, did I understand you to say how the assistants are paid?

A. The assistants on the farm?

Q. Yes, sir; how are they employed—who by?

A. I answered that—employed by the farmer, with my direction and approval.

Q. In the first place, what pay do they receive?

A. They are paid various amounts, according to their ability—some \$20, some \$22, some \$18, and others \$25.

Q. Does that include their maintenance?

A. Yes, sir; includes their boarding.

Q. What class gets \$18?

A. I can't tell you without looking at our books.

Q. A common laborer?

A. Yes, sir.

Q. Do you remember what class receive \$22?

A. They are men who have been here on the farm as laborers more than six months.

Q. What do you estimate, Doctor, the value of the maintenance of a farm hand a month?

A. I would estimate his board at four dollars per week.

Q. Are they furnished anything in addition?

A. Washing.

Q. Do you think four dollars would cover their maintenance—board, and washing, and everything?

A. No, sir; I would not.

Q. Doctor, be kind enough to state what it would amount to per capita?

A. I never made any calculation as to what the washing of the clothes were worth. I should think they were worth at least two dollars per month—the washing.

Q. You think that would cover it, Doctor?

A. I think it would, as an expense to the institution. The washing can be done much cheaper here with our machinery than could be done elsewhere.

Q. Doctor, do you manufacture your own gas here?

A. Yes, sir.

Q. Whereabouts?

A. At the works near the river—at the station, I mean to say.

Q. Have you an immediate superintendence of the gas works?

A. The immediate superintendence.

Q. I mean generally, as you do the farm?

A. Yes, sir; the general superintendence, but not an immediate superintendence.

Q. How many men are employed there?

A. There are two men at work at the gas works, the second engineer and a night man, except on extraordinary occasions and emergency, like we have had here.

Q. Do two men manufacture and do all the necessary work?

A. They can when the gas works are in perfect order. Then, in addition to that, the men run the pump.

Q. What pay does the assistant engineer receive?

A. He receives from the hospital his house and \$600 a year, besides what he receives from the Post-office Department and the railroad.

Q. I want to ascertain whether the asylum pays the engineer anything besides the \$600 a year in addition to his post office, which, I presume, is from the Government, and his freight agency—I just simply ask you this question. What amount of compensation does the second engineer receive from the asylum for his services as second engineer?

A. I have answered that; his house is given and light.

Q. Whereabouts is his house?

A. At the station; it is the station-house.

Q. He lives there?

A. Yes, sir.

Q. Does it belong to the asylum?

A. It was built by the hospital.

Q. The railroad company have no claim to it?

A. They have not asserted their claim officially.

Q. Do you look upon it as part of the property of the asylum?

A. We regard it as belonging to the institution.

Q. In regard to the manufacture of gas that is used in the asylum and elsewhere, you are obliged to purchase coal to manufacture from?

A. We do.

Q. State how that coal is purchased.

A. By advertisement and by contract.

Q. Where did you purchase your coal this year?

A. From the Mansfield Coal and Coke Company.

Q. Is the coal delivered at the station here at a stipulated price?

A. Delivered on our siding.

Q. At figures agreed upon?

A. At the stipulated price.

Q. Do you buy it by the bushel or ton?

A. We buy so much per bushel.

Q. What is your contract price this year per bushel for coal delivered on your siding?

A. Well, to a fraetion of a cent I cannot give it to you without looking at our books. It is six and some fraetion of a cent.

Q. Six cents and a fraetion per bushel?

A. Yes, sir; the kind of eoal we get. They have various rates and several rates for the different kinds of eoal. That is for the kind we get.

Q. The Mansfield Coal and Coke Company, they pay the transportation of the eoal?

A. Yes, sir.

Q. They deliver it to you for six cents and a fraetion?

A. At our siding.

Q. Do you purchase the best quality for the manufaeture of gas?

A. We do. They are under contraet to furnish Youghiogheny coal for the manufaeture of gas and their own eoal for other purposes.

Q. Doetor, do you have a superintendenee also of the water works?

A. Yes, sir; the general superintendenee.

Q. How many men are employed in pumping water?

A. The secong engineer and his helper.

Q. What pay does the secong engineer receive?

A. He is the man that I have already been alluding to.

Q. Do you mean the same man that runs the gas-works runs the water-works?

A. The same engineer pumps the water and manufaetures the gas.

Q. But he has an additional helper?

A. Yes, sir; he has to have a man to help him at night.

Q. What pay does he receive, his helper?

A. The helper assists him in making the gas and pumping the water; it is the same two men that run both establishments.

Q. Can you, by refreshing your reollection for a moment, state what amount of water mains you have on the ground here?

A. Well, I haven't made any exaet ealeulation as to that; I know the length of the water main leading from the river to the reservoir.

Q. What is the distance to the reservoir?

A. The course the main takes—it does not go in a direct line—it is about two thousand five hundred feet of six-inch pipe.

Q. It is forced directly from the river to the reservoir?

A. Yes, sir.

Q. No intermediate station?

A. No, sir.

Q. What mains have you then leading from the reservoir bringing the water for your general use?

A. We have a main supply pipe bringing the water to the building, a east-iron supply pipe.

Q. Do you have it of the same dimensions?

A. Not that much; it is four-inch pipe to the stable.

Q. Pipes to all of the other buildings?

A. Not directly, but to points where we can supply them.

Q. You have pipes to carry it to points where you need it?

A. Yes, sir; and also to the engineer's house.

Q. Do you contemplate any further extension of pipe this year?

A. We have pipe on hand for laying two additional plugs.

Q. Is that for fire purposes?

A. Yes, sir; exclusively.

Q. Have you any contemplated extension to any other portion of the ground?

A. No, sir; not at present; that is a matter that is under the direction of the committee; no official action taken except for these two in front.

Q. I understand you are building a new green-house; do I understand that the old and the new are under the immediate supervision of the employé you know here as a farmer?

A. Yes, sir.

Q. He has charge of those?

A. Yes, sir.

Q. In the construction of the new green-house that you are now building, is that done by resolution of the board of managers?

A. I don't know whether they have a resolution from their committee or not; they authorized me to build it.

Q. What amount, Doctor, did they authorize you to expend in building the new green-house?

A. It was contemplated according to the proposed plan. It would cost about \$2,000—from \$2,000 to \$2,500.

Q. In your judgment, as a general superintendent, do you think that \$2,500 will cover the cost of building the new green-house?

A. Yes, sir.

Q. How many attendants are connected with the green-house?

A. We generally have but one. We have two at the present. Whether the second one will be retained it is not for the farmer to determine.

Q. What are the duties of the attendants employed in the green-house?

A. Just such as those who are employed in any green-house, taking care of the plants, propagating plants and setting them out.

Q. What do you pay them?

A. Just according to their abilities—from \$22 50 to \$25 a month—according to their ability.

Q. And their keeping?

A. And their boarding.

Q. Doctor, in your report to the Auditor General—when I speak in that way in your personal report, and in the report of the asylum to the Auditor General that the asylum renders account of money refunded, what do we understand by money refunded?

A. With a patient who may come to the hospital and leave in the middle of the term, what money is not used up after the first quarter is refunded to the party who pays for it.

Q. Do you require the patients to stay here a certain limited length of time?

A. When they are admitted the bond requires that they shall make a payment of thirteen weeks in advance, and if removed against the advice of the superintendent, or without being cured, the money is not refunded for that quarter. On the subsequent quarters, if they leave during that period, the money not used up is refunded, and in all cases of death, whether in the first quarter or any other one, the money is refunded if not used up.

Q. Suppose they have complied with their agreement; if they don't do that you don't refund the money?

A. No, sir; except in case of death.

Q. I notice in the quarterly statements made the last eighteen months to the Auditor General, in the amount of supplies purchased for the hospital, do you keep a record—a quarterly record of all supplies that are furnished?

A. We keep what we call a daily expenditure book, showing in columns the amounts of each article purchased and the cost.

Q. Then, Doetor, how is the quarterly report made up?

A. By summing up the amounts.

Q. Who makes the quarterly statement?

A. The book-keeper makes it from the bills purchased and the wages book.

A. It is required to be eertified as eorreet and true to the Auditor General?

A. It is.

Q. Who eertifies it?

A. The eommittee are able to eertify to the eorreetness of the book-keeper's work by having a book that has the number of warrants drawn, and the amount for which they are drawn, and by the comparison of the two books they know whether the bookkeeper's work is eorreet, or not. Then they have to eertify to it.

Q. They eertify to it—to the Auditor General—that statement?

A. They eertify by eomparing it.

Q. Who is the eommittee that keeps those books?

A. The exeecutive eommittee.

Q. How many of the eommittee are required to eertify to the eorreetness of the report?

A. Three.

Q. Suppose a report was made to the Auditor General of the expenditures of the asylum simply by the bookkeeper, without being eertified to by three members of the eommittee?

A. The auditor would not receive it. We tried that once.

Q. He returned it?

A. He returned it.

Q. Suppose it was signed by one of the exeecutive eommittee?

A. My impression is that he would not receive it.

Q. Then your impression is it ought to be signed by all three of the exeecutive eommittee, or it wouldn't be a legal doeument?

A. By a quorum.

Q. What is a quorum?

A. Three.

Q. Then, in your judgment, it requires three men to sign it?

A. I think so.

Q. Are you positive about that?

A. I think so.

Q. Doetor, I read you: "We, the undersigned, managers of the Hospital for the Insane in Dixmont, do eertify that the above statement"—that is, this quarterly statement I speak of—"contains all the expenses of the hospital for the quarter ending June 30, 1882, is true and eorreet, to the best of our knowledge and belief. Signed, W. C. Loomis and F. S. Bissell. Sworn to before me, a notary publie in and for Allegheny eounty, Dixmont, Pennsylvania. Hugh M. Gormly, Notary Public;" what do you say to that?

A. It ought to have had three names to it.

Q. In your judgment, is that a legal doeument?

A. I don't think that is eorreet. I don't think the Auditor General should have aeeepted it, though I have his letter that it is perfeetly satisfactory. But I don't think it was—I think it ought to have the third name. That was done up in the eity, without my knowledge. It was arranged there, but any paper signed in the hospital has, however, three names to it, which is eorreet.

Q. In this report, which is for the months of April, May, and June, 1882,

I discover, under the head of clothing, ready-made, a charge of \$1,155 75 for three months; is that the average amount of money that is expended here in the hospital for clothing?

A. No, sir; the total amount of clothing for the entire building would amount to near eight or ten thousand dollars. That does not include all the clothing furnished women as well as men; there are a great many dry-goods that are bought and made up in the institution.

Q. This is ready-made clothing?

A. Yes, sir; it may have been paid in one quarter, and more bought than in any other.

Q. The only question I desire to ask you is whether that is the average amount.

A. Not having the books and figures before me I can't answer that question.

Q. It would be a little over four or five thousand a year?

A. The clothing amounts to much more than that—the entire clothing supplied to the patients amounts to much more than that; that would be a very skimp supply for five hundred people; some quarters much less, probably, than that, and other quarters more than that.

Q. But the average would be greater than this?

A. The supply for the entire house would be much greater.

Q. We discover, also, that for the same three months—April, May, and June, 1882—that you have charged the institution here with two hundred barrels of flour, amounting to \$1,487 65. Would you be kind enough to state whether that is the average amount of flour used?

A. The average amount of flour, at present, is sixteen and a half barrels per week.

Q. Doctor, where do you purchase your flour?

A. Purchase it from various parties—wherever we can get it the best quality and the cheapest; just now we are buying from Kennedy's mills.

Q. What price do you pay for flour?

A. Well, the price of flour varies very much one week with another—sometimes six, sometimes six and a half, sometimes five seventy-five—it varies.

Q. Does that mean always delivered here on your siding?

A. No, sir; we pay the freight.

Q. You purchase it in Pittsburgh and elsewhere, and pay freight?

A. Yes, sir.

Q. For the same three months—April, May, and June—there is one hundred barrels of lime and cement. What were they purchased for?

A. Building purposes and repairs.

Q. What were you building?

A. I can't tell you what we were building; during that period we built the foundation for the boiler-stack at the river and pump works, which had to be built in cement, and we have been using cement for various purposes—lime and cement—I can't tell where that lime and cement went—the buildings—but we have been engaged in building new boiler walls, and so on.

Q. Is that purchased by yourself, and paid for in the way you have explained?

A. Purchased the same way—in the way I have explained.

Q. Doctor, the meat bill amounts to two thousand four hundred and some odd dollars. Is that the average for three months?

A. I judge it is.

Q. Eight hundred dollars a month and over?

A. It might vary, but it would average about that.

Q. About \$800 per month?

A. Yes, sir; it would average about that. That depends altogether, too, upon what the contract may be and the number of patients in the hospital; sometimes we have more patients, who would consume more meat.

Q. In making your contract for meat, for what length of time do you make your contracts?

A. For one year.

Q. Do you order, daily, the amount of meat you require for the next day?

A. Once a week we make out a statement and send it into the butcher for the amount of meat needed each day for the following week.

Q. How is that sent to you?

A. Sent to us in tubs cut up ready for use—in tubs that are covered and locked.

Q. Does it come once a week?

A. No, sir; every day.

Q. Doctor, in the hot months of the summer, what provision does the butcher make for delivering the meat to you here in proper condition?

A. They sometimes put ice in the tubs to keep it on the road coming down.

Q. It always comes here in good order?

A. Yes, sir; so far as I know.

Q. For the three months, April, May, and June, 1882, there is a charge of \$296 50 for printing?

A. Printing our annual report.

Q. That is for the annual reports?

A. For the annual reports.

Q. Is that the entire amount for your annual reports?

A. I don't know that is just the exact figure.

Q. Is there any other printing you have done?

A. Oh, yes; we have to have billheads and other printing in the office.

Q. Is that done by contract?

A. No, sir; not done by contract?

Q. Who does the printing of your annual reports?

A. Meyers, Shinkle & Company.

Q. Who does your other printing?

A. They do a great deal of it.

Q. For the same three months there is a charge of \$2,646 60 for carpets.

A. Re-furnishing the wards.

Q. Explain that so that it will be understood; of course you understand it yourself—but for the general public.

A. For refurnishing the halls and rooms in the various wards and departments in the institution where the carpets have been used.

Q. Is this the average amount for three months?

A. Oh, no, sir.

Q. It is charged in those three months.

A. They happened to be purchased during those three months, and hence appear during that quarter.

Q. You spoke some time ago about laying a pipe for fire-plugs. There is a charge here for pipe, and don't say anything about it; \$506 72 for pipe?

A. That might possibly be cast-iron pipe or wrought-iron pipe; might be inch pipe for repairing some of the fixtures—we have so many pipes that they require considerable repairing; it may be inch, half-inch, or three quarter-inch pipe; it would be impossible for me to say without the bills.

Q. That would be the average amount paid each quarter for pipe?

A. I can't say that without seeing the different qualities.

Q. There is another charge here, water-pipe by itself, \$1,632?

A. My impression is, that is for the fire-plugs.

Q. Then, Doctor, if it is your impression that is the pipe for the fire-plugs, then the charge of \$506 72 is for wrought-iron pipe?

A. Yes, sir; and other pipe used throughout the building—just what, I can't say; the engineer can, probably.

Q. Doctor, the next item is salaries of your officers for three months—the same three months—April, May, and June, 1882; in the first place, who are the officers?

A. The superintendent and the two assistants, the assistant physicians, the farmer, the engineer, housekeeper, and the female supervisor.

Q. You call those the officers?

A. They are all officers.

Q. They are not so classified here—it is here engineer first, and second comes in by himself, the farmer by himself, the laundress comes in by herself, and the store-keeper, and house-keeper, and all those by themselves; this says, "Officers' salaries, \$1,799 97."

A. Have you the assistant physicians there?

Q. No, sir.

A. The book-keeper?

Q. No, sir.

A. I can't tell you, without looking over it, what that covers.

Q. If you will be kind enough, what is your salary for three months?

A. My salary is \$3,000 a year.

Q. What is the salary of Dr. Wylie?

A. A thousand.

Q. Doctor Hutchison?

A. A thousand.

Q. The book-keeper?

A. A thousand.

Q. This is \$1,799 97; who else would be included?

A. You will have to ask the book-keeper who are included in that.

Q. You would not be able to answer that question?

A. I would not like to without the books.

Q. Doctor, how many attendants have you?

A. We generally have one for every ten patients; the number changes a little; sometimes have two or three more or less.

Q. You don't recollect as to the exact number?

A. The exact number I don't recollect, but I think there is over fifty in all.

Q. They receive different amounts of salaries?

A. Yes, sir.

Q. Varying from \$14 to \$20?

A. From \$14 to \$22 50.

Q. Are there any male attendants receive in excess of \$22 50?

A. No, sir; not what we call male attendants.

Q. Then the charge here of \$3,111 03 means simply the attendants in the wards?

A. Yes, sir.

Q. Doctor, what salary does the farmer receive?

A. A thousand dollars and his house.

Q. It is charged here in the report \$249 99.

A. Well, that discrepancy might arise, Major, from his having his salary increased by the committee.

Q. When was that?

A. It may have been the two figures. Just what date it was I don't know.

Q. Increased from what?

A. From \$900.

Q. The charge of \$722 40 for this quarter for farm hands includes the assistants to the farmer that you have already mentioned?

A. Yes, sir.

Q. Have you, Doctor, general charge of the laundry?

A. The general superintendence.

Q. Who is employed in the laundry?

A. Mrs. Egan is head laundress—a woman. She is the head of that department, and responsible to me, and has a number of females under her care.

Q. Do you know how many?

A. I wouldn't say; from twelve to thirteen.

Q. Do you know what pay they receive?

A. Twelve dollars a month after they have been in here six months; they first get ten.

Q. The charge here is \$502 75.

A. That is the girls.

Q. Does that include the laundress?

A. No, sir; it does not. Haven't you got that?

Q. No, sir; we have the laundress here charged \$90. Her pay would be \$30 a month.

A. Yes, sir.

Q. Doctor, you have testified here, and others have testified, that the duty of surplus attendants is to assist in the sewing-room?

A. The duty of a surplus attendant is to be on hand to be used as an attendant when we may need them, and during the interval between the time of their employment and the time of actual service they are made use of in the sewing-room, in the repairing of clothing for the men and women.

Q. Have you a regular person employed here that is designated as a seamstress?

A. We have one girl designated as a seamstress.

Q. What pay does she receive?

A. I think it is \$20 per month.

Q. You have, also, here a storekeeper, \$53 80; just state, if you please, Doctor, what is the duties of a storekeeper.

A. Is that the female storekeeper?

Q. It don't say.

A. Well, the duties of the storekeeper are to receive the dry-goods, or anything for the male and female departments of the house.

Q. Any groceries?

A. No, sir; just the dry-goods; the female storekeeper for those of the female department, the male storekeeper for the male department.

Q. You have here a housekeeper receives \$90; state whether she is a male or a female, or both.

A. A female.

Q. What salary does she receive?

A. Thirty dollars a month, and her boarding and washing.

Q. What are her duties?

A. To look after the kitchen department, and everything that pertains to it, and the rooms in the center of the building.

Q. There is also a charge of \$90, as supervisors ; just state, in general terms, what are their duties.

A. That refers to the female supervisoress ; her duties are to give instructions to the female nurses, to see that they take care of the patients properly, and attend to their duties properly.

Q. What pay does she receive ?

A. Thirty dollars a month.

Q. Have you a coachman ?

A. An omnibus driver. If the book-keeper chooses to term him such, I can't help it.

Q. I will ask you if you have a coachman ?

A. No, sir ; we have an omnibus driver ; you see we call him an omnibus driver.

Q. What is designated here as a coachman, is, in reality, the driver of your 'bus ?

A. Yes, sir.

Q. There is a charge here of \$150 60 for telegrams for three months ?

A. Yes, sir.

Q. Is that the average expenditure of the hospital for telegraphing ?

A. I think that ought not to be taken as an average expense, because it might be more in one three months than in another.

Q. The charge here of \$122 19 for incidentals, can you explain that ?

A. Well, small items of expenditure that are scarcely worth drawing a warrant for, which the committee audit, and examine into, and direct a check to be drawn to re-imburse me for these payments.

Q. All these expenditures that I have enumerated, and gone over with here, do I understand you to say that every one is audited by the proper committee, and not paid until they are audited ?

A. The bills are all carefully examined by the committee, and not paid until they have examined them.

By Mr. Graham :

Q. I want to ask you as to the detention of sane patients, with the experience you have had, extending over the entire time since the erection of this institution. It is a very serious matter. It has been charged here that there was probably sixty sane persons detained here against their will ; now, that is one of the questions we would like to have made as clear as possible.

A. No sane person has ever been admitted to this hospital as a patient. No sane person has been kept in this hospital any longer than to assure his entire convalescence.

Q. Then they are detained sometimes as an experiment after there is a reasonable supposition of their sanity ?

A. Until we are confident that they are entirely restored.

Q. How long would that time be ?

A. Well, not to extend beyond two or three weeks ; an insane person may be restored, and at the end of the month may have a return of his paroxysm. We want to know that the paroxysm will not come, before the patient is thrown out into society to be made worse by exciting agencies he may encounter.

Q. Do you think it would be impossible to retain a sane man without your knowing it ?

A. I don't think it would be possible for a sane man to be detained here without my knowing it, and I don't think it possible for me to detain a sane person, enough persons in the house protesting against it, to accomplish his discharge.

Q. Then you are positive no sane man has ever been detained here?

A. I am very positive.

By Mr. McNeill:

Q. In discharging inmates sometimes, that you had supposed had been perfectly convalescent, were you ever mistaken in your opinion?

A. I have, sir; we discharged patients who, I supposed, were convalescent, and who have had a relapse, and have had to be brought back in a short time.

Q. There is another class taken out here;—sometimes patients are taken out here against your will and advice?

A. Yes, sir.

Q. Is it not very frequently that you are mistaken in your opinion?

A. Very seldom; if a patient is left here until I am willing to pronounce him sane I have very rarely known him to return to the institution, even after years. I have known patients who were supposed to be entirely well, by their friends, and were removed, who have committed suicide in a short time after they left us; to all appearances they were sane; the general public would have supposed they were sane, and they were taken away against my advice.

Q. Have you had persons here that seemed to be perfectly sane quite a while, and were taken out against your advice, and had to be returned?

A. Yes, sir; often.

By Mayor Peterson:

Q. Doctor, I want to know whether, within your knowledge, patients have been committed by law that you have seen fit to discharge; if the present laws are such as would enable of parties here who are not insane?

A. How is that. Repeat the question?

Q. If, under the present law, parties are ever committed as insane——

A. And I found they were not insane, would I discharge them?

Q. If you, as a fact, found them not to be insane?

A. I can only remember one patient that was committed by order of the court, of this kind, who was excited, and wild, and delirious; he was in a week's time as fit to be discharged, and I so advised the judge, and he was promptly discharged. He was undoubtedly out of his mind when he was arrested; it was more excitement than insanity.

By Mr. McKenna:

Q. Are not the laws very strict?

A. Yes, sir.

By Mayor Peterson:

Q. Have you found the requirements of the law sufficient to guard against it?

A. The law specifies that "no patient shall be admitted without an examination within one week from the date hereof;" that is equivocal and might refer to the date of the certificate. I have always construed that law to mean "within one week of the date of his admission to the hospital."

By Mr. McKenna:

Q. Do you always enforce that law?

A. Invariably.

By Mayor Peterson:

Q. The question I want to get at is whether you consider the present safe-guards are sufficient; whether your experience would justify you in saying so.

A. I do; I think they are amply sufficient.

By Major Walker :

Q. Have you any inebriates confined in the asylum ?

A. We have.

Q. Are they confined here as inebriates ?

A. They are committed by order of court as inebriates ; we do not receive them unless they are committed under the fifth section of the act of 1853, which provided for their admission.

Q. Does that act designate that they shall be committed as insane people ?

A. As temporarily insane.

Q. Then they are committed here as insane people——

A. As people who are temporarily insane from the use of intoxicating liquor—that qualifies their insanity.

Q. After they are recovered from their inebriety what power have you to hold them here ?

A. I have the power to hold them until the court discharges them ; the commitment generally says “until discharged by the further order of the court.”

Q. Isn't it your duty to inform the court ?

A. Yes, sir ; I do that.

By Mr. Graham :

Q. Several witnesses have spoken of a dark room—is it a dungeon ?

A. No, sir ; it is a room the same size as any other single room that the patients occupy in the hospital. I use the word “single” because some very large rooms have six patients. It is a room of the same size, contains the same number of cubic feet that any other single room does ; it has more window space than the others, because the window is so constructed that it can be slid back into the wall, while the other windows are made so that there is a space above and below each sash, to which they can be opened, and giving a space of only four and one fourth inches above and below.

By Major Walker :

Q. How many patients have been inmates of the asylum since you have been connected with it—about how many ?

A. Over forty-five hundred up to the 1st of last October.

Q. Of that number how many have been discharged as sane that did not return ?

A. That is a question I could not answer without going over our record ; a large proportion have not returned. I think of a single instance where patients have remained sane for thirteen years nearly.

By Mr. McKenna :

Q. In the case of Doctor Sevin, and Messrs. Hopkins and Carroll, who have testified before this committee, I wish you would state if these men were removed against your advice, as not being cured.

A. They were removed against my advice, and without my consent.

Q. You didn't consider them sane ?

A. No, sir ; I did not.

Q. I believe you have a rule of the institution, that for the first three months after patients are admitted here their friends are denied the privilege of seeing them.

A. We have a rule that denies the permission to friends to see them during the first three months except by my permission.

Q. You may explain to the committee the reason of that rule.

A. The reason of that rule is that the patients are generally excited and made worse and our efforts are interfered with to improve them.

Q. That is found to be the case from your experience?

A. That is found to be the case from the experience of many years.

Q. Does that apply to public and private patients?

A. To all alike.

Q. I wish you would state to the committee if your attendants even know whether the patients are public or private patients?

A. No, sir; we expressly prevent them from knowing who are public and who are private so that they treat all alike.

Q. They all eat at the same table?

A. Yes, sir.

Q. Partake of the same food?

A. Yes, sir. In many of our best wards the largest proportion are public patients.

Q. How are they classified—according to their wealth and poverty?

A. Not at all; but according to the nature of their case and conduct.

Q. Do you invest your attendants with any discretion for the treatment of the insane?

A. No, sir, no, sir; by no means.

Q. They merely follow the instructions of the physicians?

A. They are expected to be the instruments in the hands of the physician.

Q. They have no authority to put on any restraint?

A. No, sir; no authority whatever, except as they are directed; the printed rules specify that very plainly.

Q. And when emergency requires immediate action, that is reported to you or the physician?

A. That is reported to myself.

By Mr. Graham:

Q. It does not come legitimately into this inquiry, but I know this question of mufflers and strait-jackets is not generally understood by the outside public. You have had a great deal of experience, not only here but elsewhere, and you are employed by the Government to visit similar institutions all over the country. I would like you to describe some of the means employed in other institutions for restraining patients in insane asylums and alms-houses also, if you choose.

A. Well, I have seen in Franklin county alms-house, naked women chained by the ankles to the floor, and an old man, eighty years of age, entirely naked, in a room without bed or straw even to sleep on; and I have seen a little baby boy, a couple of years old, in a room in the same institution, for weeks and weeks, not allowed even to go out of doors, and the rooms were mopped out like you would a stable, swept out into a gutter that was in the hall and then run from that by a current of water out of doors; and I seen alms-houses where men—where women were bathed by men—German attendants, and that alms-house was not very far from Pittsburgh. And I have seen in hospitals—in the Indianapolis hospital—I have seen cribs in which patients are confined; they are about the size of a bedstead and something larger than the table at which Major Walker sits—something larger and about as high, and the sides of the crib are composed of oak rungs, and the top is made of rungs, hinged, so that it can be turned down from the top, like, and inside of that a straw mattress and a lady patient. I recollect of one distinctly lying in that crib without any opportunity of being erect or to sit up even. It was about as much as she could do to turn over in bed. I have seen in another hospital, last spring, not very far from Cincinnati, tranquilizing chairs—chairs seated on a pivot with broad arms and broad feet-board, on which the

patients were fastened. The object was to turn that chair as rapidly as possible on the principle of the old-fashioned flying-horses, probably revolving a thousand times a minute, and many such things.

Q. What was the object of them whirling the patient?

A. It was intended to produce a sedative effect on the patient—calm the patient; the result, in my opinion, would be to kill them.

By Mr. Hart :

Q. Do you make use of any of those appliances you have detailed, here in this hospital?

A. We have nothing to restrain patients except what you have seen, no cribs, no tranquilizing chairs nor anything of that kind, except the strait-jacket, mufflers, and armlets—all we use. We have no loop-holes through the doors where we can look at the patients and throw the food in, like they have in many hospitals.

PHILIP KNODERER, a witness who appeared before the committee, and being first duly sworn, testified as follows :

Examination by Mr. Walker :

Q. Mr. Knoderer, you are connected with the asylum here?

A. I am.

Q. In what capacity?

A. I am what they call me, the boss farmer and gardener.

Q. How long have you been connected with the asylum?

A. I have been connected with the asylum somewheres about sixteen years, and upwards.

Q. When did you first become connected with the asylum; in what capacity were you employed in here?

A. Well, I done general work through the premises, such as carpenter work; whatever I was set at by Doctor Reed.

Q. General work?

A. Yes, sir.

Q. For what length of time did you remain in that capacity?

A. I remained in that capacity, I think, for six years, and then I was promoted to take charge of the outside work. They were running a railroad from the back of this building, in excavating the hill back of the building, a slip here; then I served them at that, and I then—during that summer they give me charge of the farm, and I have had charge of the farm and the green-house, and the horses, and cows, and all outside work.

Q. When does that date from?

A. That dates ten years back.

Q. That would be 1873?

A. Yes, sir.

Q. Who employed you?

A. Doctor Reed, superintendent of this place.

Q. What special duties were assigned to you as being what you term the boss farmer?

A. Well, I can enumerate; I think, probably, I have charge—my first duty is to see that the stock is properly cared for and not abused, and to hire such men as are competent to do the work, and when I find him not competent, to pay him off immediately, and any employé breaking the rules of the premises is paid off immediately; that is my orders. The doctor orders me to hire so many day-men, and pay them so much per day; that is, good men, if I seen they are worth that much; to use my judgment, and if he don't suit us that I can get my money; that is, the hospital get the worth of the money out of that, pay him off; that is, with this excavating work; there was a great deal of grading to do around

these premises and that was all under my head; that is, I superintended, and the quarrying of the stone, and all the filling around here, and the new boiler-house, and the tunnels, in fact, all the outside work I have charge.

Q. Was that which you have spoken of done by contract?

A. No, sir; that was done by day-work; I hired the men.

Q. What amount of pay did you receive from Dr. Reed, or from the asylum, for these services as general superintendent?

A. Well, that varied—

Q. Understand me—I don't want to go back any further than last year.

A. Last year I got a thousand dollars. They have raised me, a few months back, to one thousand two hundred dollars.

Q. You are now getting one thousand two hundred dollars?

A. Yes, sir.

Q. Have your duties been increased any?

A. I do not think so.

Q. State what they are.

A. Not of late, they have not. They increased all along, but they didn't increase the pay when I really ought to have it.

Q. When they increased the pay to one thousand two hundred dollars, did you have to do any additional labor?

A. Not any more than I had before. I had general superintendence of the farm and green-house, and all the outside work.

Q. How many men did you employ last year?

A. I worked some days heavy—run from forty to seventy, and probably upwards; I could not tell you. I would have some days more than others, making new roads, grading and macadamising, quarrying the stone.

Q. What I desire to learn from you, Mr. Knoderer, is how many men are employed by you for the farm work.

A. Well, at present I have—I have had, of late, here but three, and I have hired two more, and that makes five; I have a boss driver and three other drivers.

Q. Then you only have five farm hands?

A. That is all I have now, of late; I hired one hand yesterday; we don't keep the full force during the winter.

Q. How many acres are there tillable here?

A. The surveyor makes three hundred and seventy-four acres; there is a great deal of land that is not tillable.

Q. How many acres of the three hundred and seventy-four is tillable land?

A. Well, I could not tell you that exactly.

Q. Not exact, but as near as you can?

A. Well, I presume—I only presume—that it is probably from one hundred and fifty—along there—that is, in cultivation like, and such as pasture.

Q. You will estimate it, in general terms, that there are one hundred and fifty acres of tillable land?

A. Yes, sir; that is what I think; I might have as much as that for garden land, potatoes, and corn.

Q. One hundred and fifty acres of tillable land: how much of that one hundred and fifty acres did you include in that for pasture land?—or, when you say tillable land, is that pasture?

A. Part of it; then I pasture some woodland—that is laying out.

Q. How much of the one hundred and fifty acres do you pasture?

A. I could not tell you that.

By Mr. McNeill :

Q. Don't you consider it all tillable land ?

A. Yes, sir ; the whole place. I will explain, now : my oats is cut, and I pasture that land ; my hay is cut, I pasture that land, in another part of the season.

By Major Walker :

Q. How much of this one hundred and fifty acres of tillable land did you raise timothy or clover on ?

Q. Well, I couldn't tell you the amount of acres I had this year ; in fact, all the farming I have done here is merely sowing oats—to sow the land down in grass, and get it improved—to get it enriched like. We raise more vegetation, such as garden truck, than we raise corn.

Q. How many tons of hay did you raise last year ?

A. Well, I think it is somewhere in sixty-five ; I cannot give you that, exactly ; I will have to look at the report ; just get the report, and I can give you that.

On motion of Senator Graham, seconded by Senator McNeill, adjourned until two o'clock.

And now, to wit, Wednesday, March 7, A. D. 1883, at two o'clock, P. M., parties met pursuant to adjournment.

Present : Senator Hart, temporary chairman ; Senator McNeill ; Representatives Graham and Walker ; C. F. McKenna, of counsel for respondent, and witnesses, and the hearing of testimony proceeds.

PHILIP KNODERER re-appears before the committee, and testifies as follows :

By Major Walker :

Q. How many tons of hay did you use on the place last year ?

A. Well, we used something over a hundred tons.

Q. How many head of horses ?

A. We had thirteen all along ; we have ten now, and one mule ; we have had thirteen until of late.

Q. How many head of cattle ?

A. We have now twenty-seven cows, two heifers, and one bull ; but we go up as high as thirty-five sometimes, and thirty-six.

Q. Then you require forty more tons of hay than you raise to feed that stock ?

A. Yes, sir.

Q. What do you pay a ton for hay, Mr. Knoderer ?

A. Well, I pay sometimes—this year I paid \$12 to \$14 50, delivered.

Q. I see by the Auditor General's report that you have paid for hay for three months, \$102 66 ; for three months again, \$461 59 ; for another one, \$56 28 ; and for another quarter, \$250 13, making some seven or eight hundred dollars for hay. Forty tons is it ?

A. I didn't say forty tons.

Q. I am speaking of this year.

A. This year ; I don't say for last year ; last year I only bought from two parties. One party received \$14.50 and the other received \$12.

Q. What was the average last year ?

A. Well, if my memory serves me right, I think I paid sixteen dollars last year, and we hadn't as much last year as we had this year ; I bought a great deal more last than this year.

Q. How much more ?

A. I had two horses more, and more cow cattle than I have now ; I have much less cow cattle now than for some time.

Q. Let me ask you, in your bills for hay, if you include straw ?

A. Well, straw bills are made out for straw ; whether they make the report out in that way or not, I don't know.

Q. Are they made out together or separate ?

A. The bills are made out separate.

Q. Then seven or eight hundred dollars you pay for a year would be correct ?

A. Not every year.

Q. By these reports ?

A. By these reports all the money they paid for hay is on them.

Q. My object here is to show that you have a farm here, and what you pay for keeping it up costs the State some seven or eight hundred dollars just simply for hay ; now, I want to find out from you, being the farmer, how many bushels of oats did you raise, say in 1882 ?

A. In 1882 I had four hundred and thirty-two bushels measured by the machine.

Q. How many bushels of oats did you use in that year ?

A. That I could not tell you.

Q. Don't you keep a record ?

A. I report it daily to the doctor or superintendent ; I keep a regular daily record of all proceedings in my department, and Doctor Reed reads that and marks it correct.

Q. How am I to get at this ?

A. I don't know.

Q. I suppose you keep an account of the farm matters yourself ?

A. I am the farmer.

Q. Do you know how much was paid out for oats ?

A. I don't.

Q. Do you know how much for hay ?

A. I don't.

Q. You keep no record at all ?

A. I keep no record, only this, I report to the doctor every day what is received ; he examines it ; that book goes in the office daily, and I keep a record for my own benefit, when the weights come in to compare, and see if they are correct or not, see if they are correct ; by that book I could get at it, but it would take some time ; it states in this month so much, in that month so much.

Q. Then your answer is you don't know how much you paid for oats ?

A. I don't know.

Q. Or how many bushels you bought ?

A. It is as I say ; I put in to the doctor that I am out of oats, and he orders oats—and that is correct.

Q. Do you know how much is paid for oats in 1882 ?

A. I have seen the bill, because I marked the bill correct.

Q. For the whole year ?

A. No, I don't know that.

Q. Mr. Knoderer, do you buy feed ?

A. When I am out of feed it is ordered through Doctor Reed, the superintendent.

Q. I ask you do you use feed on the place here ?

A. I do.

Q. Did you ever buy that feed ?

A. Ever I buy some of it?

Q. The feed that is charged in these accounts, is that feed that you bought?

A. That is feed that is bought by the Doctor.

Q. What is this feed?

A. It is bran, corn, and hay ground together.

Q. Is there any hay in that feed?

A. I consider hay feed, of course.

Q. When you buy feed, is hay chopped up in it?

A. No, sir.

Q. It is only a little bran, and corn, and oats ground together?

A. Yes, sir.

Q. What is the feed for?

A. Horses and cows.

Q. How much did you pay for the year 1882?

A. That I can't tell you; I didn't keep that account.

Q. There is a charge here for three months of four hundred dollars for cows; were those cows purchased?

A. Those cows were purchased.

Q. How many cows did you buy in 1882?

A. I just wish to state something in your question in asking me how much oats I used. I answered I didn't recollect. I don't want to be understood that I didn't keep an account. I keep an account myself to ratify these bills but not the account in the office; them bills go to the office and kept by the clerk, and are passed by Doctor Reed.

By Major Walker:

Q. Do you know how much money was paid out for cows in 1882?

A. I couldn't tell you unless I had my books here, then I could tell you.

Q. Do you know how many cows were bought?

A. I could not recollect that; I could tell if I had my books. I keep a book for my own benefit for that, and the bills go to the office.

Q. Here is a charge in these three quarters for manure seventy-six dollars and thirty cents—fertilizers.

A. It is correct, that was bought.

Q. Is that for phosphates?

A. For phosphates.

Q. It is not better than yard manure?

A. No; it is phosphates; and them cows was bought, too.

By Mr. McKenna:

Q. You don't keep the books of the institution?

A. No, sir.

Q. You are the farmer?

A. Yes, sir.

Q. The book you keep is a daily journal?

A. A daily record of what I do. There is an outside man's book, and a book for my own benefit, to compare these bills as they come in from time to time.

Q. In what capacity did you first come to this institution—what are you by trade?

A. Well, done carpenter work and attended to plastering, &c., and whatever the superintendent directed me to do.

Q. In your avocation as carpenter, making the repairs, and so forth, had you access, for years, through all parts of the institution?

A. I have been through the institution on the female side and on the other—the male side.

Q. Have you been through frequently?

A. I worked in there a good bit at one time ; I don't recollect just when it was.

Q. How many years ago was that?

A. I presume, probably, it was twelve years ago—somewhere in the neighborhood of twelve years and upwards, and I have been through the wards since that ; I have access to the wards now when I wish to go in.

Q. Do you often see the patients out over the grounds—don't you sometimes have them with you?

A. Yes, sir.

Q. You sometimes serve in that capacity and assist in watching the patients?

A. I have seen the patients out and took notice of them frequently.

Q. Do you have charge of the attendants—are they responsible to you when they are with the patients on the grounds on the farm?

A. That is the orders.

Q. Are the patients given frequent excursions over the grounds?

A. Yes, sir.

Q. Do you see them?

A. Yes, sir.

Q. In your connection with the institution, and your opportunities for observing from the first to the last, I would like you to state if you observed any abuse or maltreatment of any kind on the part of the attendants, physicians, or others.

A. I have never seen any patients abused here.

Q. What would you pronounce the treatment of patients, so far as you can say?

A. Why, the treatment is kind.

Q. Do you know of any instructions on that subject on the part of Dr. Reed?

A. Yes, sir.

Q. Just state them.

A. The instructions are to treat the patients kindly.

Q. You have spoken something in your examination about the sale of cows, the number of cows and buying cows, what was the cause of that?

A. Of buying cows?

Q. Yes, sir.

A. Well, the scarcity of milk ; the superintendent says "Go out and buy some cows," and I go out and buy them and make a report to the doctor.

Q. Why was the necessity of buying cows?

A. The necessity is the scarcity of milk ; the milk would get scarce.

Q. Did you use any of them for beef, kill any of them?

A. Why, we fattened the dry ones up and killed some.

Q. That accounts for buying more?

A. Yes, sir ; we think it pays better.

By Major Walker :

Q. In the conduct of the farm work and the management of a farm do you employ any patients of the asylum to assist you?

A. Well, the patients do some little work out.

Q. About how many patients would assist you?

A. Well, in that I couldn't give you an idea of that.

Q. Have you immediate charge of them?

A. I have, but I don't keep no account of how many is out every time.

Q. What would you think would be the average during the summer months?

A. I suppose probably average fifteen to twelve some days, more or less, according to the weather.

By Mr. McKenna:

Q. Is the assistance of the patients voluntary on their part, or are they compelled to do so?

A. They are not compelled to do it. When they see me they ask me to come out, and they are out more for exercise than anything else.

Q. How long do they stay out?

A. Well, they come out sometimes about eight or a little after, and go in about eleven, and come out again in the afternoon.

Q. Is the physician consulted whether they shall come out again?

A. Well, the physicians told me time and again who to let out.

Q. You get your instructions who to let out from the physicians?

A. Yes, sir.

By Mr. McNeill:

Q. If the patient is desirous to go into the hospital you don't prevent him?

A. No, sir.

T. J. JONES, a witness who appeared before the committee, and being first duly sworn, testified as follows:

By Mr. J. H. Reed:

Q. What is your business?

A. Porter.

Q. What road?

A. The Allegheny Valley.

Q. What sort of a car?

A. Pullman sleeping car.

Q. What trips did you make last week from Pittsburgh to Oil City—what nights?

A. I left here on Tuesday night, Thursday night, and Saturday night.

Q. Did you make a trip last Tuesday night from Pittsburgh to Oil City?

A. Yes, sir.

Q. Do you know John W. Carroll, of Oil City?

A. I only got acquainted with him last Tuesday night.

Q. You didn't know him before that—you knew him then?

A. Yes, sir.

Q. Was he on your car?

A. Yes, sir.

Q. Where did he travel from and to?

A. He came out of the coach at Forty-third street, and inquired for a gentleman he said was in the sleeping-car, and he went back.

Q. How did he behave on the car?

A. He went forward and got a paper and went into the smoking car again.

Q. Do you know what paper it was?

A. The conductor told me it was the *Leader*.

By Major Walker:

Q. That is a paper published here in Pittsburgh?

A. Yes, sir.

By Mr. Reed:

Q. Go on and state what he did.

A. He seemed to be excited over it; I didn't pay no attention to it, and the conductor said, "John, make upper four for him." and he came in and wanted to go to bed; I was out in the smoking room, and I came in and

found him in upper six ; it was not made up, and I got him out of that and put him in upper four.

Q. How did he get along through the night ?

A. He was restless.

Q. What way ?

A. Well, he complained he was not warm enough, and I gave him another blanket ; at that time I was over my watch, and went to bed at eleven o'clock.

Q. What time did you get up again ?

A. Three o'clock.

Q. What did he do then ?

A. The first thing he told me to go for Doctor Cooper ; as soon as we arrived in Oil City.

Q. What for—did he say ?

A. He said he was sick.

Q. On account of what ?

A. The Pittsburgh dirt.

Q. What did he do from that to Oil City ?

A. Well, he would poke his head out every once in a while, and ask for a drink of water, and once he holloed.

Q. What did he hollo ?

A. Whoop.

Q. Did he disturb the passengers ?

A. Yes, sir. I suppose he may have ; there was not any of them wakened up that I noticed.

Q. What time did he get up ?

A. Half-past eight—fast time.

Q. What time did you get in there at Oil City ?

A. At six-thirty.

Q. Then he stayed in the car after it arrived ?

A. Yes, sir.

Q. Was he quiet or excited when he got up ?

A. Well, he told me ; he asked me if there was a boy outside to send him down to tell Doctor Cooper not to come up ; he was getting better.

Q. Did he seemed to be sick ?

A. He seem to be restless ; he didn't seem to me to be sick.

Q. When you say restless what do you mean ?

A. Not content.

Q. Was he exeited ?

A. He was exeited on some grounds.

Q. Was he talking ?

A. He would hollo at me once in a while.

Q. What did he want ?

A. After we got into Oil City he made a loud whoop as the passengers were getting off—that was six-thirty—a lady asked me what was the matter, and I told her there was a sick man on the car. He called me and told me to get a bottle of beer ; I got the beer for him, and he drank the beer, and slept until half-past eight.

By Major Walker :

Q. Your name is Jones ?

A. Yes, sir.

Q. How long have you been running on the Allegheny Valley road ?

A. Two years the 15th of February last.

Q. Do you remember the 22d of February, just a short time since ?

A. Yes, sir.

Q. Did you come from Oil City to Pittsburgh that night?

A. Yes, sir.

Q. Do you remember who was on the car that night?

A. Coming from Oil City?

Q. Yes, sir; to Pittsburgh.

A. No, sir; I could not tell.

Q. Do you know whether there was any disturbance or any noise made in the car that night coming from Oil City to Pittsburgh?

A. No, sir.

Q. You don't recollect any at all?

A. Not coming from Oil City to Pittsburgh.

Q. Any coming from Oil City to Pittsburgh by the Allegheny Valley road; that would be the through route?

A. Yes, sir, the through route.

Q. Do you remember of any oil brokers that was on the train that night coming to Pittsburgh?

A. No, sir.

Q. You are sure you came on that train?—Do you remember of any oil brokers getting on at Oil City and coming to Pittsburgh that night?

A. Yes, sir.

Q. Do you remember whether they were drinking, carousing, and making a noise on the train that night, so as to disturb the passengers almost the entire distance from Oil City to Pittsburgh?

A. No, sir; I don't.

Q. Do you remember of any person drinking any thing on the night of the 22d of February; you remember the 22d of February is Washington's birthday, and I suppose a public holiday—do you know that the 22d of February is Washington's birthday?

A. Yes, sir.

Q. Do you know who Washington was?

A. Yes, sir.

Q. You don't know who these oil brokers were?

A. We have them on every night, mostly.

Q. Answer my question; do you remember of their drinking anything that night?

A. I was just trying to study.

Q. You don't remember of anybody drinking anything on that train that night, or making a noise?

A. I could not say the date now.

By Mr. Graham:

Q. Do you remember what day of the week it was—was it Wednesday or Thursday?

A. Wednesday, I think.

Q. Do you recollect distinctly of coming on that train that day?

A. Yes, sir.

By Major Walker:

Q. You don't remember of any person drinking anything or making a noise that night—was Wednesday, the 22d?

A. Yes, sir; because we had left on Tuesday night.

Q. You say Wednesday was the 22d?

A. Yes, sir.

Q. What makes you think so—how do you recollect Wednesday was the 22d? Do you remember so distinctly everything in reference to Mr. Carroll? I want to ask you a few questions to see how your recollection is.

A. Well, my attention was called to him; he didn't act like other passengers.

Q. State if your attention was called to it then.

A. Not until this morning.

Q. Were you asked to refresh your recollection?

A. Yes, sir.

Q. I ask you to refresh your recollection now—did you leave Oil City on Wednesday night?

A. On Wednesday night; since you speak now, there was parties coming down; there was four of them.

Q. I did not ask you how many there were, or anything about it; I just want to get at the facts. Did you see any of these four drink anything?

A. Yes, sir; I did.

Q. You saw them drinking that night?

A. Yes, sir.

Q. Did they have bottles with them?

A. Yes, sir.

Q. How often did you see them drink?

A. Four times, at the outside.

Q. Did they make any noise in the car?

A. Yes, sir; we had a little trouble keeping them still; we done the best we could.

Q. Mr. Jones, you say Mr. Carroll got on this train at Forty-third street?

A. He came back in the sleeper.

Q. Where did he get on the car?

A. I don't know that I saw him there until Forty-third street.

Q. Had he a ticket?

A. No, sir.

Q. He paid cash—paid it to the conductor?

A. Yes, sir.

Q. That was a sleeping-car ticket—you have nothing to do with regular fares at all?

A. No, sir.

Q. Mr. Jones, you testified here that you have had a little experience in seeing men drinking; possibly you know how they act when they have been drinking. Now, I want you to state here, just as plainly as you can, and as honestly as you can, whether Mr. Carroll had been drinking.

A. I did not see him drink.

Q. You didn't see him, but what would be your judgment in the matter?

A. My judgment would be that he didn't drink anything at all.

Q. Then, if he hadn't been drinking, what would be your judgment as to what was the matter with him—was he sick?

A. No, sir; he seemed to be out of his mind about something.

Q. What did he say or do that would lead you to think he was out of his mind?

A. Well, he would halloa and ask questions that no person that had their right mind would ask.

Q. Did he ask you questions?

A. Yes, sir.

Q. What did he ask you?

A. Simply when he got out to Oil City—

Q. Oh, no; we don't want to jump so far as that. What did he ask you down there?

A. I didn't bother with him till morning.

Q. Then you don't know whether he had been drinking or not?

A. No, sir; not more than when I put him to bed I could not smell liquor on him.

Q. Did you put him to bed?

A. No, sir.

Q. I thought you said you put him to bed?

A. Well, he came up and got in upper six, and that was not the right bed, and I took him out of the bed and put him in No. 4.

Q. He got into No. 6, and you told him he had made a mistake?

A. Yes, sir.

Q. You took him out of it?

A. Yes, sir.

Q. You put him in the right berth?

A. Yes, sir.

Q. Was it an upper berth?

A. Yes, sir.

Q. Is it unusual to help people into the upper berths?

A. Oh, no, sir.

Q. When did you see him next?

A. I did not see him until three o'clock.

Q. Did he ask you for water?

A. Yes, sir.

Q. Did you give him water?

A. Yes, sir.

Q. Did he go to sleep?

A. When I got him the water he asked me to telegraph to Dr. Cooper, at Oil City.

Q. Did he state what for?

A. He said on account of the Pittsburgh dirt.

Q. On account of the Pittsburgh dirt?

A. Yes, sir; he said that had made him sick.

Q. When did he mention about the Pittsburgh dirt?

A. I didn't know that—that was the conductor's story.

Q. Didn't you testify a moment ago that he had been reading the Pittsburgh *Leader*?

A. No, sir; I said the conductor told me that.

Q. You didn't see him again until when?

A. Three o'clock.

Q. He asked you for water?

A. Yes, sir.

Q. You gave him the water?

A. Yes, sir.

Q. Did he go to sleep?

A. Not until after—

Q. What did he do?

A. Why, he would lay down and roll and groan in bed there. I was blacking boots. I always blacken them after three o'clock when I come on watch, and I was passing back and forward through the car and I could hear him.

Q. Did he groan as if he was a sick man? Do you know anything about what made him groan?

A. No more than what he told.

Q. What did he tell?

A. The Pittsburgh dirt.

Q. He wanted to get a drink of water to get the Pittsburgh dirt out of his throat?

- A. He did not say what he wanted it for.
Q. When did you see him again ?
A. When we got to Oil City.
Q. Did he get up and dress himself ?
A. No, sir.
Q. He certainly got up ?
A. Yes, sir ; but not at that time.
Q. Where did he get off ?
A. Oil City.
Q. Where did he get up ?
A. Oil City.
Q. Did he get up himself ?
A. Yes, sir ; I put his collar on.
Q. When did he ask you to get the bottle of beer ?
A. Before we got to Oil City, when I went for Doctor Cooper.
Q. You went and got the bottle of beer ?
A. Yes, sir.
Q. He drank it ?
A. Yes, sir.
Q. And then he laid down and slept till half-past eight o'clock ?
A. Yes, sir.
Q. The car remained there ?
A. Yes, sir ; till 9.50 at night.
Q. What then ?
A. He got up at half-past, and asked me if the doctor had come, and told me not to tell the doctor to come, that he felt better.
Q. When did he get up ?
A. Half-past eight, fast time.
Q. What did he do ?
A. He dressed himself and called for his collar, and I put that on for him.
Q. Did he get out of the car then to go away ?
A. Yes, sir.
Q. That is all you know ?
A. Yes, sir.
Q. Who was the conductor ?
A. Mr. Brown.
Q. Mr. Brown was the conductor going up that night ?
A. Yes, sir.
By Mr. Graham :
Q. You say he did not act like a drunken man ?
A. No, sir.
Q. You don't think he was drunk ?
A. No, sir.
Q. Nor had been drinking ?
A. No, sir.
Q. But that he acted like a crazy man ?
A. Yes, sir.
By Major Walker :
Q. Have you been subpoenaed to be here ?
A. I was sent down from 64—office on Grant street, Mr. Reed's I think.
Q. Mr. Reed brought you down ?
A. Yes, sir ; he sent me down.

Doctor D. A. HENGST, a witness, who appeared before the committee and first duly sworn, testified as follows :

By Mr. McKenna :

Q. Doctor, you are a practicing physician in Pittsburgh I believe ?

A. Yes, sir.

Q. For how many years ?

A. Nearly six years in Pittsburgh.

Q. What institution are you a graduate of ?

A. I am a graduate of Jefferson Medical College, in 1870.

Q. Philadelphia ?

A. Yes, sir.

Q. Were you ever connected with the Dixmont Hospital ?

A. I was.

Q. You may just state to the committee here, when you became connected with it.

A. I came to Dixmont in 1873 and remained until 1877.

Q. In what capacity ?

A. Assistant physician ; part of the time, about fifteen or eighteen months, I spent in the male department, and the balance of that time in the female department.

Q. How much were you here altogether ?

A. Nearly four years.

Q. Have you visited the institution more or less up to the present time ?

A. Yes, sir ; I have.

Q. Kept familiar with it ?

A. Yes, sir.

Q. Were you next in rank to Doctor Reed ?

A. I was after I went to the female side of the house—the female department.

Q. You held the position that Doctor Wylie now holds ?

A. Yes, sir.

Q. Doctor, I wish you would state, if you knew, during your professional connection with the institution, a German patient named Thumm.

A. I knew him, though I never had him under my immediate charge, but I would see him every day, and knew him.

Q. You may state the nature of his insanity.

A. I thought him one of the most violent patients in the house ; he was epileptic and subject to violent attacks.

Q. Was he a man of great physical strength ?

A. A medium sized man ; he was a strong man for his size.

Q. You say from almost daily observation you could give an opinion as to his treatment by the attendants in the hospital, from what you observed ?

A. I would say it was kind and humane.

Q. Did you ever know of him being maltreated in any way ?

A. No, sir.

Q. Can you state to this committee what complaint Mr. Thumm died of ?

A. He died of strangulated hernia. Mr. Thumm was in such a condition that he was not able to make his wants known. During one of his violent attacks, during the time of the excitement, this hernia became strangulated and he was not able to make it known until it became gangrenous, and consequently he died.

Q. Was he ruptured before he came to the institution ?

A. Yes, sir ; I presume so ; it was an old rupture.

Q. Did he receive any injury that you know of while in the institution ?

A. No, sir; not that I am aware of.

Q. Any inflicted by the attendants?

A. No, sir; not being his immediate physician I don't remember that; I don't think he did.

Q. Do you know if a post-mortem was held on the body of Mr. Thumm?

A. It was not at the hospital; it was in the city.

Q. By whom?

A. Dr. Gallaher was one of the physicians; I don't know who else.

Q. I wish you would state to the committee here, Doctor, if you know, the general mode of treatment of patients in Dixmont hospital by the attendants.

A. I would say it was kind and humane.

Q. Is there unnecessary restraint?

A. No, sir; never to my knowledge during my residence.

Q. You, I suppose, have heard the instructions from time to time given attendants and been charged with giving them yourself?

A. Yes, sir; I have instructed them so myself.

Q. State what those instructions were.

A. To be kind to the patients and treat them as kindly as possible.

Q. What were your instructions with reference to enforcing restraint?

A. To use no force unless it was necessary; to allow themselves to be badly treated before they treated patients badly.

Q. It was to exercise forbearance?

A. Yes, sir.

Q. Could you say anything in relation, during your connection with the institution, of insane patients being punished, and a system of retaliation on them?

A. I don't remember any instance of that kind at all.

Q. Do you know of physicians permitting or overlooking it?

A. They would not permit it.

Q. Did you know a patient that was in the same ward with Mr. Thumm—I think he said he was Doctor Sevin?

A. I knew Doctor Sevin; I have no recollection of him being in the same ward; I think they were, although I have no recollection of it.

Q. Was Doctor Sevin in the institution when Thumm died?

A. Yes, sir.

Q. Do you know what ward Thumm died in?

A. It was in the ninth or tenth ward; it was one or the other of those two wards.

Q. Do you know that Doctor Sevin was in those wards?

A. No, sir; he was not in those wards—in either of them at any time.

Q. Would Doctor Sevin have any personal knowledge of him without being there?

A. Unless they were located in the same ward he would have no knowledge of him—no personal knowledge.

Q. I wish you would state if you know Doctor Sevin very well.

A. Yes, sir; he was admitted—I don't remember the exact month—he was admitted shortly after I went to Dixmont; I saw him every day until I went to the female side of the house.

Q. You may describe the form of his malady from your observation.

A. Well, I considered his case one of melancholia—suicidal melancholia.

Q. Was that continuous?

A. It was during all the time of my residence.

Q. Will you state whether he was in a frame of mind to give an opinion of the treatment of Mr. Thumm?

A. No, sir; I did not consider him ever in such a frame of mind, as to have any knowledge of him.

Q. You say he manifested a suicidal form of mania; do you recollect any particular efforts?

A. Yes, sir; I remember one instance in which he broke a window, pounded the glass, and ate some of it to commit suicide.

Q. Did that fall under your immediate observation?

A. Yes, sir.

Q. Do you remember of him being restrained?

A. He was restrained at that time, about the only time I remember of.

Q. What was that for?

A. To prevent him from committing any further act of that kind.

Q. While you were connected with the institution you may state if the attendants had any discretion to confine patients to bed or to apply restraint to them.

A. No, sir; they were always expected to report such cases to the physician, and get their orders to do so. If I found restraint applied, I always made inquiry why the application had been made beforehand.

Q. It was a violation of the rules?

A. It was a violation of the rules.

By Mr. Graham:

Q. It was sometimes done in cases of emergency, and immediately reported to you?

A. Yes, sir.

By Mr. McKenna:

Q. That was the rule?

A. That was the rule, but there were exceptions where it had to be done.

Q. But then it was immediately reported to you?

A. It was immediately reported after the restraint had been applied.

By Mr. McNeill:

Q. Have you seen these charges made by Doctor Sevin . . . and Carroll? You have read the paper, have you?

A. Yes, sir.

Q. Would it be possible, Doctor, for those abuses to occur without the knowledge of the physician—such abuses as they charge?

A. I think not.

Q. Could not be?

A. I don't think so.

By Major Walker:

Q. Do you think it probable or possible?

A. I don't think it is probable.

Q. Would it be possible for such a thing to be done?

A. It could be done.

By Mr. McNeill:

Q. You never had such knowledge of its being done?

A. I never had such knowledge of such occurrence.

By Mr. McCrum:

Q. Notwithstanding, you think it might be probable?

A. No, sir; it be possible.

By Mr. McKenna:

Q. It would be found out?

A. It would be found out; yes, sir.

By Mr. McCrum:

Q. From what sources?

A. My own observation.

By Mr. McNeill :

Q. You saw the patients every day ?

A. Saw them every day ; yes, sir.

Q. Did any of those patients ever complain to you ?

A. No, sir.

By Mr. Graham :

Q. It has been alleged by one or two, and perhaps more, witnesses that have been examined here, and possibly in some of the public papers, that insane persons were confined here, that men who were entirely sane were confined here against their will. Do you know of any such persons ?

A. I don't know of any such in existence ; I don't think it would be possible to do that.

By Mr. McKenna :

Q. I guess all who are confined here are confined against their will ?

A. Yes, sir.

By Mr. Graham :

Q. If a sane person were in your department, over which you were as physician, would you not know it ?

A. Well, there never has been any there ; I suppose I would know it.

Q. Then all the persons that came under your observation while you were in charge of the male and female departments of the institution were insane ?

A. I considered them so.

By Mr. McKenna :

Q. Did you see Doctor Sevin on his late visit to Pittsburgh to testify in this case ?

A. Yes, sir.

Q. Did you read his testimony in this case ?

A. Yes, sir.

Q. As an expert, from your conversation with the man as well as reading his testimony what would you say about his insanity ?

A. I would say that his memory is very defective.

Q. Is that evidence of a diseased brain ?

A. Yes, sir ; I would consider it was in his case.

Q. Did you observe anything else abnormal in his testimony ?

A. Well, he contradicts himself.

Q. You saw him personally and conversed with him ?

A. I did ; yes sir.

Q. What is his mental condition now from what you saw of him ?

A. Well, I considered his case senile of the brain—cerebral softening.

Q. From your experience with the insane I wish you would state if it is fact that hallucinations or false impressions received by insane persons while in the institution if they don't adhere to them through life while their other faculties are restored after they are removed from the asylum ?

A. I don't think so, if they are entirely cured. A great many go away half cured, and they have all kinds of impressions about having been beaten and half killed and knocked about and abused while there is nothing of it.

By Major Walker :

Q. Were you the physician in charge of the ward in which Mr. Thumm was ?

A. No, sir ; I was on the female side of the house at the time.

Q. What would be your facilities of knowing about the condition and actions of Mr. Thumm ?

A. Well, in my frequent conversations with my colleague on the other side of the house, and seeing and making inquiry myself in going through

occasionally, and during the absence of Doctor Reed, he reported to me his condition.

Q. When was Doctor Reed absent?

A. Doctor Reed would occasionally be absent for several days. At other times we would talk about his case as we did many other cases.

Q. Doctor, is it possible for any maltreatment to have been inflicted upon Mr. Thumm, in the ward in which he was, without your knowing it?

A. It is possible; yes, sir; it is possible.

Q. You say Mr. Thumm died?

A. Died; yes, sir.

Q. Would you state to the committee here the *modus operandi* by which a patient is removed after death from the hospital?

A. Well, the friends are generally notified before the death of a patient.

Q. Take the case of Mr. Thumm—was he a State patient or a private patient?

A. Private patient.

Q. Now just state it.

A. If I recollect, his friends were notified before his death.

Q. Did they come here and take his remains away?

A. I think so.

Q. Refresh your recollection on that as well as you can.

A. They do in such cases; but I am not positive about Mr. Thumm.

Q. I want to look at this case?

A. Well, my friend here can tell you more about that case than I can.

Q. You don't know, then?

A. I am not positive.

Q. Were you physician here at the time?

A. Yes, sir.

Q. Is it possible for the remains of a patient to be taken away without the physician knowing it?

A. No, sir; but that was several years ago.

Q. You remember distinctly about Mr. Thumm dying?

A. I remember that his friends were here, and that his body was taken away on a Sunday morning, and I think it was by his friends; they took it away.

Q. Do you know where they took the body to?

A. To Pittsburgh.

Q. Where to?

A. After the body leaves the hospital, the friends take it away—the hospital is relieved from all care of it.

Q. Then you testify, to the best of your knowledge, the friends took it away?

A. Yes, sir.

Q. Were you present at the post-mortem?

A. No, sir.

Q. Do you know who held it?

A. Doctor T. J. Gallaher, and I don't remember who the others were; whether there were any others I could not tell. If the post-mortem examination had been made here we would know something about it.

Q. You hold post-mortem examinations here, do you not?

A. Yes, sir.

Q. Is there a burying ground attached to the asylum?

A. Yes, sir; for patients who are not taken away by their friends or public authorities.

Q. Have you any authority of law to make a post-mortem?

A. I don't know that we have any authority of law; we ask the friends, and if they don't object we make a post-mortem; if they object we do not do it.

Q. Do you have any recollection of asking the friends?

A. Yes, sir.

Q. State a ease.

A. I could not tell the ease. I know it has been done, but I could not tell the ease.

Q. You have thought over the question Mr. McKenna put to you?

A. No, sir; I did not know any questions he was going to ask me until I was placed on the stand.

Q. These questions I ask you you don't seem to remember.

A. Well, they are things that occurred six or eight years ago.

Q. In your conversations with Doctor Sevin, did you consider that the Doctor had any knowledge of medicine as a practitioner?

A. Not very much knowledge at the time he was there in Dixmont.

Q. Did you ever talk with him on the subject?

A. Yes, sir.

Q. Would it be for want of education, or merely because he was de-mented?

A. Simply his mental condition.

Q. You have been in the hospital, back and forwards, since you left here, as I understand?

A. Yes, sir.

Q. And you state you have no knowledge of any sane man being confined in Dixmont Hospital?

A. No, sir.

Q. Could there be a sane man confined here without your knowledge?

A. Without my knowledge? Yes, sir; since I left.

Q. Do you think there is a sane man incarcerated here now?

A. I have no reason to believe so.

Q. Do you know the patients?

A. I know some; yes, sir.

Q. Do you know Mr. Paul, of Pittsburgh?

A. A patient here?

Q. Yes, sir.

A. No, sir.

Doctor G. W. McNEIL, a witness who appeared before the committee, and being first duly sworn, testified as follows:

Examination by Mr. McKenna:

Q. Doctor, where do you live?

A. Pittsburgh.

Q. How long have you lived there?

A. Since 1878.

Q. How long have you been a practicing physician?

A. Ten years.

Q. From what college did you graduate?

A. Jefferson College, Philadelphia.

Q. Were you ever connected with Dixmont Hospital?

A. Yes, sir.

Q. Just state when.

A. In the years 1875 and 1876.

Q. Two years?

A. Yes, sir; all of two years.

Q. What was your position ?

A. Assistant physician.

Q. That is during the period Doctor Hengst was here ?

A. Yes, sir.

Q. What wards were you in ; what department ; the male or female ?

A. Male department.

Q. Do you remember a patient here named Gustave Thumm ?

A. Yes, sir.

Q. He died in the institution ?

A. Yes, sir.

Q. Do you remember his form of insanity ?

A. Yes, sir.

Q. You may describe it, please.

A. He was an epileptic—sent here as an epileptic—and he was here I don't know how long—in the neighborhood of a year or thereabouts, and had frequent spells of epileptic mania of a severe type—had them frequently—in which he would fall down on his face and very frequently hurt himself by falling against a bench, chair, or door, and he very seldom did this without hurting himself. At the time he died he fell into one of those fits and hurt his head. I don't know just where, but I remember distinctly in his fall he done it, and if he did not do that he would injure his head or bite his tongue.

Q. Did these fits come on without any previous signs ?

A. Without warning. He would fall right off his feet where he was standing—fall and hurt himself.

Q. The hurt he received when he died was in the same manner ?

A. He fell and he received an injury—hurt his head against the corner of the door. He had an old rupture which became strangulated ; I did not discover it just on the day of the fall—I don't remember just the time, but it was within twenty-four hours. I examined it carefully afterwards and I found this strangulated, and he died a very short time afterwards. I knew of this rupture, and had examined him frequently for it when he had these fits because he was wholly unconscious for a part of a day and frequently the whole day.

Q. As assistant physician, you had immediate charge of him ?

A. Immediate charge of him.

Q. Can you say, Doctor, from your observation, how Mr. Thumm was treated by the attendants ?

A. He was treated kindly. He was not troublesome only when these spells were coming on him. A few days before he would have them he was quite cross and crabbed, and he would be dangerous at the time of those spells. He was a powerful man.

Q. Did he receive any maltreatment from any of the attendants.

A. No, sir ; I don't think he did, nor that it was possible for it to be so, for I saw him twice a day and sometimes oftener.

Q. Are patients, Mr. Thumm and others, afforded sufficient freedom of access to the physician to report abuses ?

A. Yes, sir ; they have perfect freedom to see me or the superintendent on that side of the house if they wish to.

Q. No prohibition about it ?

A. No prohibition about it. A private patient, especially, would know enough to say so in his sane moments, and he had many of them.

Q. Was there any distinction of treatment in the treatment of a private patient and those known as State patients ?

A. No, sir; they get the same food, the same treatment, and the same of everything.

Q. The same attention?

A. The same attention.

Q. Do the attendants, in point of fact, know whether the patients are State patients or private patients?

A. They are supposed to know nothing about it.

Q. Not informed?

A. No, sir.

Q. Doctor, can you tell, from your long connection with the institution, what rules and instructions for the treatment of patients are from Doctor Reed and those in authority?

A. Well, the rule is that a patient treated in this hospital is examined carefully by the physician when he comes in, and he is assigned to such apartment or ward that he thinks is right; that he thinks proper and right at that time; that is, after examining him once or twice, and after consulting with Doctor Reed, he directs. Doctor Hengst and I frequently consult with each other and with Doctor Reed. I don't think there was a day went over our heads we were not in consultation about some patients and Doctor Reed and myself.

Q. You say Doctor Reed and you were in frequent consultation?

A. Yes, sir; I think that Doctor Reed would know what was going on; when he was away a day or two from here I would tell him, and if there was anything special to report I did so, but even when he was here he gave his advice as he saw proper.

By Mr. McNeill:

Q. Did he always see a patient that was very ill?

A. That was the rule. I went and told the Doctor if he was very ill, and then he went and saw him, and I saw him afterwards, and he would suggest his line of treatment, after me telling him mine, and he would give me his advice.

By Mr. McKenna:

Q. Did you know Doctor Sevin?

A. Yes, sir.

Q. You may state what his peculiar form of insanity was.

A. I considered him melancholia patient, in which he was suicidal. I remember very distinctly when I went through the wards the first time. Doctor Reed went with me, and he impressed on my mind that this Doctor was a suicidal patient, and I should make it a point to see that he was guarded in that line, which I did. Doctor Hengst also gave me the same instructions.

Q. From your observation of Doctor Sevin, did you discover that to be correct?

A. Yes, sir. Doctor Sevin would be talking at times about something that occurred at his home, or something that occurred in the hospital, and, may be, in the same breath he would throw up his hands and wish that he was dead, wish he could die, or some expression of that kind; it was not an unusual expression at all.

Q. Did he ever try to harm himself?

A. Not while I was there, because he had very few opportunities to do it.

Q. He was watched?

A. He was watched closely.

Q. You can state what the treatment of Doctor Sevin was.

A. I think Doctor Sevin was very kindly treated. I can say this much for

myself, I had a great deal of sympathy for Doctor Sevin, for the simple reason that he was a doctor, and at times, when he was sane at all, he was very willing to talk on medical subjects, or anything else, and of course our feeling would be, if anything, a little charitable towards him. I know I felt that way.

Q. Did you know Mr. Bogue, the other attendant in the room?

A. Yes, sir.

Q. You state, Doctor, what you know about him—is he a kind, humane man?

A. Well, during all my stay here I never saw anything else, to my knowledge.

Q. It was your duty to have known if he was otherwise?

A. Yes, sir; it was my duty, and if any patients complained, to listen to the patient's story, and everybody else that knew anything about it, and compare notes, and see how much truth there was in it.

Q. Did you ever hear of any ill-treatment of Doctor Sevin?

A. I never saw it. I often have heard such stories from patients. I think I can go through and find twenty-five that will say they are badly treated, and you could not find a mark or scar on them.

Q. It is nothing unusual for them to complain?

A. Nothing unusual. I suppose, though, they think they are used badly, especially—

Q. The detaining them against their will is one complaint?

A. Yes, sir; quite a common thing that they will think that they are all right.

By Mr. Graham:

Q. They think they are sane, too.

A. Yes, sir.

By Mr. McNeill:

Q. If a patient would complain of maltreatment would you have investigated it?

A. Yes, sir; I would have asked him in what way he had been so, and followed the matter up to see if there was anything in it. If a man would complain to me of ill-treatment, or punishment, or of being hurt, I would ask him to show up his hurts and inquire who were the parties.

By Mr. McKenna:

Q. Did you know, Doctor, during your administration, of the detention of any sane men here?

A. Not any sane man that I know of.

Q. While you were connected with the institution, was there a freedom of correspondence—letters allowed to be sent by the patients to their friends?

A. Every day a number of letters went away from here to their friends. That was the biggest mail we had.

Q. Letters to patients were received?

A. Yes, sir.

Q. Were the letters to patients opened?

A. Very seldom that I know of; I don't know of any. There might have been a letter opened if there was any suspicion it was not for the good of the parties, or we had some authority to do it. We might have had a patient here, and sometimes outside friends are a little too meddlesome and would write them—we have been told by a husband or wife of a patient to examine it, and in that case we did it.

Q. After you had instructions?

A. After we had instructions it was done.

Q. You know when you were in the institution whether Doctor Sevin had any other reading matter except legislative reports?

A. I think he had everything that he wanted.

Q. He had an abundance of reading matter?

A. Oh, yes, he had plenty of reading matter.

Q. Were patients allowed access to reading matter?

A. They have a library down there, and he could get anything he wanted. Doctor Sevin could have got anything he wanted. I would have given him anything I had in my library.

Q. Wasn't he often furnished with books?

A. Yes, sir.

Q. At the time Doctor Sevin left here was he sane?

A. No, sir; he never was sane; I would not consider him so.

Q. Have you read his testimony as published?

A. Yes, sir.

Q. From your knowledge of the man—your intercourse with him, and from that testimony, what would you say about his mental condition?

A. That he was no better than when he was here.

Q. At any time when he was here would you say that he was able to prescribe medicine or the course of treatment of a patient correctly?

A. No, sir; not in my judgment.

Q. Doctor, will you please answer what provision is made for attendants heeding the calls of patients at night who required attendance in this hospital?

A. The attendants were instructed to sleep with their doors open, and any noise that occurred it was their business to see at once what it was, or any disturbance of any kind; and if there was any sick patient, one attendant was required to watch him, and if two attendants were not sufficient, we would put another one in there.

Q. You always had a surplus?

A. Always had a surplus.

Q. What was the rule in regard to this, when he was called out at night?

A. The rule was that he should go when he was called.

Q. With instructions to go for the physician, if it was necessary?

A. If necessary; it was no trouble to go, it was but a short distance.

Q. Where did they sleep—the assistant physicians?

A. In the main building, on this floor.

Q. In point of fact, were you frequently called?

A. Oh, yes; we never went to bed with the expectation of not being called up, the same as out-of-door practice; I expected to be called up in my own practice, and I expected to be called up here; one is just as reasonable as the other.

Q. Doctor, you may state, if while connected with the hospital here, what the rule was in reference to the instructions in regard to the restraint of patients.

A. That was left entirely with the physicians, under their orders, and in subjection to them. If the patient was violent—when a patient of that kind got violent, in my absence, or I was in some parts of the ward where I could not come immediately, it was their business to put them in a position that they could not hurt themselves or hurt other patients, and then it was to be reported to the office.

Q. What are the instructions with reference to the attendant's right to retaliate upon patients when attacked?

Q. Well, we did not expect an attendant to stand up there and let himself be beat to death, but to stand up there and try to protect himself in a

mild, respectful manner, and treat the patients as kindly and gently as possible.

Q. Was he admonished to be careful?

A. Yes, sir.

Q. Was the diet given to the patients wholesome, and abundant in quantity?

A. Yes, sir; I could not give you a better example than to point to what you have been eating here only to-day. I don't think it was quite as good at dinner, however, as we usually get. In fact, the food at this hospital is better than I have at my own table, take it the year round.

Q. That was under the direction of the physicians?

A. Yes, sir.

Q. Was the rule enforced, Doctor, when you were here, that patients should not be tied down at the whim of the attendants?

A. We did not take any whim of an attendant at all.

Q. They had no discretion whatever?

A. No discretion at all in that line.

Q. What would be the result if an attendant attempted to abuse a patient at all?

A. Very likely if I was going through the ward and saw him, he would be sent to the front office with a respectful note to pay him off and leave him go.

Q. You would consider it a violation of the rules, which would lead to his discharge?

A. Yes, sir.

Q. The attendants were to obey the orders of the physician?

A. Yes, sir; they were not supposed to have any judgment of their own in respect to patients.

By Major Walker:

Q. What are the duties of attendants?

A. There are generally two attendants in the ward, and one of them takes the principal charge of the patients, to see that they are properly cared for, and their wants in every manner attended to; the other takes charge in the dining-room—a kind of foreman; he has special charge of that; and, in case of any violence, or anything of that kind, they are both supposed to take part.

Q. Are the attendants to police the wards?

A. Certainly, they are to keep the ward and everything in it in order.

Q. You spoke about Doctor Sevin being very melancholy?

A. Yes, sir.

Q. Did he ever tell you anything about his private history?

A. Yes, sir.

Q. Do you think it was enough to make him melancholy?

A. Yes, sir; especially if he had any mental trouble.

Q. Doctor, were you present in the asylum when Mr. Thumm died?

A. Yes, sir; I was here when he came here and when he died.

Q. Were you present when he died?

A. Yes, sir.

Q. At his death bed—were his friends here?

A. Yes, sir; they were so; I don't know whether they came that day or the day before, but they came.

Q. Do you know whether they were here at the time he died?

A. I don't know whether they were just here, but they were here that day or the day previous.

Q. Who were present in the room at the time Mr. Thumm died?

A. I think his attendant, likely, and Mr. Caldwell.

Q. And yourself?

A. Yes, sir.

Q. Was notice given immediately to his friends of his death?

A. Yes, sir; that is a standing rule.

Q. Did his friends come for him?

A. They left orders for him; he died on Saturday, and his wife and daughter were here, and arrangements were made to send the remains to Allegheny depot with one of our attendants.

Q. To whom did he deliver the remains?

A. In charge of the undertaker who was there to receive the remains.

Q. Who made these arrangements with the undertaker?

A. Mrs. Thumm. I was at the train myself, but I did not have charge of it.

Q. Was Mrs. Thumm at the depot?

A. I did not see her.

Q. Did you see the undertaker?

A. I saw the remains put in the hearse and taken away.

Q. Do you know where they were taken to?

A. They were taken to his home.

Q. Do you know anything to the contrary?

A. I know nothing to the contrary.

Q. There was mention of a post-mortem examination?

A. That was at his house.

Q. Did you know of its being held?

A. I understood there was one.

Q. You understood it was at his own home?

A. Yes, sir.

By Mr. Graham:

Q. Was the post-mortem held at the instance of the asylum?

A. No, sir.

Q. Do you remember of Doctor Sevin reading a great deal of German literature?

A. He had some; I know nothing about it; I can't read German.

Q. Did you ever know of his having a large volume, an expensive volume of the history of Germany?

A. No, sir.

Q. Don't remember any thing of that kind?

A. I know he was reading something almost all the time; had German papers to which he had access to.

Q. You say from the testimony of Doctor Sevin, you think from the report as you read it that he is insane still?

A. I do.

Q. Would you be kind enough to state what portion of his testimony leads you to think that he is an insane man?

A. For the simple reason that he contradicts himself in his statements that he was not lying—I believe he would jump up out of his chair and say he did not want those questions asked him; that they were not proper and right.

Q. In what particular did he contradict himself?

A. I would have to read it over; I can't remember every word of it.

Q. But still you say he contradicted himself?

A. Yes, sir; if you will give me your notes and allow me to read them over I will tell you where?

Q. You say you think he was insane for one reason, that he contradicted himself?

A. Yes, sir.

Q. Now, I would like to know if you were mistaken in that would you still claim that he was insane?

A. I certainly would.

Q. For what other additional reason?

A. I understand that he claimed they did not give him his freedom. They cared for him, watched him all the time; if he had been sane he would not say so.

Q. Is that in the paper there?

A. I don't know whether it is there or not.

Q. I simply ask you the question, in what particular did he contradict himself—now, I ask you the additional question, what else leads you to think that Doctor Sevin is insane? You believe that a man that had an attendant and was watched all the time he was here would necessarily be insane; do I understand you to say so?

A. Yes, sir; if that was the case there would be some reason for it, of course.

Q. I want to ask you the question if that is true?

A. I don't know; I was not there.

Q. What evidence have you that he had an attendant here, and was a patient in any way while here?

A. I understood so from the papers.

By Mr. Graham:

Q. Would not the fact of Doctor Sevin's being under the charge of a committee be evidence to you that he was insane?

A. That is what I meant in regard to those papers, that I understand he is still in charge by an order of court, of a committee to look after his affairs or business; I believe his business is all done by that committee. I don't think it is a general thing for them to have a committee to take charge of their property if they go away from here cured.

Q. Doctor, is there any other reasons, other than the two you have mentioned, that you would judge from Doctor Sevin's testimony—understand me, from his testimony—that would lead you to think that he was an insane man?

A. Nothing that occurs to me now; I suppose if the thing was read over to me I could pick it out, likely.

Q. Then on the two points—first that he contradicts himself?

A. Yes, sir; that is one, and that he is still in charge of this committee, by his friends.

Q. Would that lead you to think—supposing you know nothing about the testimony of Doctor Sevin, what is there in his testimony, as you read in the paper, that leads you to consider him an insane man?

A. Well, because, first, he contradicts himself, the whole thing all through; I can't remember it all now. If I had the paper, to read it all, I could pick out the points exactly.

Q. It made an impression on your mind, without your being able to tell what created that impression, that he is insane?

A. Yes, sir.

Q. Well, ain't there generally some reason for an impression of that kind?

A. Well, if I had the evidence to read it over I could show you.

Q. You have a firm belief of the fact?

A. I know that he was insane when he left here, and the evidence that was

brought forth by this committee, I believe that he is still insane, and I think that would be the general belief of those that have looked over this matter at all. I think his own physician at home is under that impression.

Q. You predicate your belief upon two or three points. One is that he contradicts himself, and the second is that he is still in charge of a committee; what was your third one?

A. I have not got any third one. From the tenor of his testimony, take it altogether, I would judge that he was insane.

Q. Those are the only things you have to guide you?

A. That is all I have at present.

By Mr. McNeill:

Q. What did you consider his malady was, that you considered he was suffering from?

A. Melancholia; I think that he has some softening of the brain.

Q. From your treatment, do you think that would be likely to be cured?

A. Oh, no; I don't think his ease was a curable one. I don't think it was ever considered such.

Q. Was that by reason of his age?

A. That is one reason.

By Major Walker:

Q. What did he tell you was the trouble with him?

A. Well, he told me he had a great deal of trouble with his family—his wife dying. His son, especially, was a source of great annoyance, too; he would have liked very well if he had done better under his instructions.

Q. Did he say anything about his daughter?

A. I remember of him talking about her, but cannot give anything on that.

Q. Did he say that was the cause of the trouble?

A. He attributed it to that.

By Mr. McKenna:

Q. I just want to ask you a question in reference to Doctor Sevin. Would you consider that a sign of insanity in Doctor Sevin to report stories that lunatics had told him?

A. Yes, sir; I would, according to what I have read; that is all I have got to go on. These papers speak of Pershing and others. They were insane men, and known by everybody to be insane.

Q. I presume in reading his testimony, that you read that he had quoted persons admitted lunatics and recited stories on the strength of their statement to him—would you consider that due to insanity?

A. Yes, sir.

By Major Walker:

Q. Would you consider Mr. Pershing a lunatic?

A. I did when he was here.

Q. He is here now?

A. Indeed, I don't know.

By Mr. McKenna:

Q. Did you know Jacob Dinkle and Neinstel?

A. I did not.

By Mr. McNeill:

Q. I think, in Doctor Sevin's evidence he said he knew as many as sixty patients confined in the hospital that were sane—did you know any of these sixty?

A. The only difference between Doctor Sevin and I is that I don't know one.

Q. He stated that he had been told that.

A. I believe he believed it himself. He was influenced in his belief, so far as that went. That is one of the characteristics of his insanity, so far as that is concerned.

Counsel for respondent offer in connection with the testimony of Doctor Hengst and McConnell, the proceedings in the courts of Erie county, in the case of Charles Sevin, at No.—, ——— term. This for the purpose, first, to show that he had no memory when he was testifying here; and, secondly, to show that he is still legally a lunatic and incompetent to testify.

Admitted and marked exhibit "A," March 6, 1883.

Dr. T. C. GALLAGHER, a witness who re-appeared before the committee and testified as follows:

By Mr. McKenna.

Q. Doctor, you were examined here the other day, and we will just continue your examination; did you know Gustave Thumm, an inmate of this institution who died here a few years ago?

A. Yes, sir.

Q. Were you one of the physicians who held the post-mortem on his remains?

A. Yes, sir; I was present. I was one of his attending physicians before he came here, and on his dying held the post-mortem.

Q. Where was it held?

A. It was held at his residence.

Q. That is in Oakland, is it?

A. In Oakland; yes, sir; and it was done at the instigation of the family.

Q. You may state, Doctor, what you found in the post-mortem examination.

A. Well, it has been a good while ago, and I have no notes in reference to it. I can recollect distinctly we examined his brain; we examined his brain to see its condition as to the cause of his insanity, and we found the posterior part of the brain, what is called the cerebellum, almost entirely solidified; a solid induration of the posterior portion of the cerebellum, and at the same time we found the anterior portion was also solidified, more or less.

Q. The brain was very much diseased, was it?

A. Yes, sir; very much diseased, chronically diseased.

Q. Would that account for the spasms that he manifested in life?

A. Yes, sir.

Q. One of the symptoms that produced that?

A. Yes, sir; he had epilepsy; the primary disease was epilepsy, followed by mania, and I saw him and attended him before death.

Q. Were you one of the physicians that certified to his insanity, so as to be admitted to the institution?

A. Yes, sir; I think I certified.

Q. Were you the family physician then?

A. No, sir; I was not the family physician; I was consulting physician.

By Mr. Graham:

Q. Doctor, in your judgment, what was the immediate cause of Thumm's death?

A. Well, we could not tell; we were told that he had become violent, and that he had hurt himself and died as a consequence.

By Mr. McKenna:

Q. Were you not told to examine the condition of the rupture?

A. We did not examine that with the knife; every one appeared to be

satisfied that was the cause of his death, and that there was no necessity for it.

Q. Why did you make the examination, Doctor?

A. Because of his insanity—not because of his death particularly, but because of his insanity—wanted to ascertain the condition of his brain.

Q. Then your whole examination, as I understand it, was confined to the brain to discover the cause?

A. Yes, sir.

Q. Were you one of the physicians who certified to the condition of Jacob Dinkle, of this institution?

A. Yes, sir.

Q. Have you seen him in this institution since?

A. I saw him to-day.

Q. I wish you would state to the committee if, in your opinion, his malady has continued—has he continued insane, in your judgment?

A. Well, I don't know—I did not examine him to know enough about him. I don't know enough about him hardly to answer that question.

Q. Was he insane when you sent him?

A. Yes, sir; he was insane, certainly. I would make a little statement, if you wish.

Q. Was he in this institution more than once?

A. I think he was in twice.

Q. Do you know the cause of his insanity?

A. Yes, sir. He lost a child some months before he became insane; he lost it, being poisoned. The child took Bull's cough syrup. This preparation he had got from a druggist, and I suppose had mistaken the dose, and given it a large dose, and that killed it. He never appeared to be perfectly right afterwards. He at the same time drank more or less, and this made him drink more. I presume the cause of his insanity was intemperance, but I think at the same time that the death of his child had some influence in causing him to drink, so that he got worse and worse, and finally was compelled to be put in the asylum.

Q. I believe there was a regular commission of lunacy in his case?

A. Yes, sir; approved by the court.

Q. Of Allegheny county?

A. Yes, sir; by the proper authority.

Q. He has been in here several years, hasn't he?

A. Two or three years.

Q. You may state now, Doctor, whether the form of his insanity—whether, in your opinion, at the time he was committed here, was chronic, or was liable to become chronic—what was the form of his insanity?

A. Well, I don't recollect distinctly what I thought at the time, but I was under the impression he had a chronic form of insanity. I was under the impression it would probably be permanent. I had seen persons affected in a similar way before from the effects of liquor, and I have known cases of that kind where they never recovered.

Q. What form of insanity would you call it?

A. I can hardly remember.

Q. Do you remember of testifying before this commission?

A. I remember of testifying before the commission.

Q. Do you remember of testifying that his case was probably incurable?

A. Yes, sir.

Q. Your interview or your examination to-day—have you had any reason to change your views?

A. I could not tell; he appeared to talk rather rational, but I know how

it is; they sometimes do so, and maybe the next hour would talk differently; one examination would not satisfy me on that point unless it was marked.

Q. You may state whether his form is violent and paroxysmal or whether it was mild.

A. It was violent then at that time.

Q. Are they not usually, as far as your experience is, more violent when first subjected to it?

A. Yes, sir; most cases of insanity are paroxysmal. Sometimes they appear quite rational for a while, and sometimes in two or three hours there would be a change.

By Major Walker:

Q. You assisted in the post-mortem examination of Mr. Thumm?

A. Yes, sir.

Q. Did you discover on the face of Mr. Thumm any evidence of any violence?

A. No, sir.

Q. Was his face cut in any way?

A. I did not see it.

By Mr. Hart:

Q. Did you discover any evidence of violence on any part of his body?

A. I did not see it.

Doctor T. B. LASHELL recalled on part of the respondents, testified as follows:

By Chairman McCrum:

Q. You may state the result of your examination of Mr. Hopkins yesterday afternoon?

A. We were not satisfied there was a fracture of the ribs; there was no evidence of it.

Q. If there had been, would you have discovered it?

A. I think so, from the length of time he claims his ribs were broken.

Q. About a year ago?

A. He claims less than a year ago. He claims it was in the spring—less than this—about ten months. From his story—I understand him about that. There is no evidence about that—no evidence of a callus remaining.

Q. Did he say that you was mistaken?

A. I did not tell him anything.

Q. So that he does not know the result?

A. No, sir.

Q. Did he offer to allow a surgical operation to be made to prove that he was not in error?

A. No, sir.

Q. Did he say you might cut into his ribs?

A. No, sir.

By Mr. McKenna:

Q. Doctor, who assisted you in that examination?

C. M. PERSHING, a witness who appeared before the committee, and being duly sworn, testified as follows:

By Senator Hart:

Q. Where do you live?

A. New Florence, Westmoreland county.

Q. Are you a son of Samuel Pershing?

A. Yes, sir.

Q. Is your father an inmate of Dixmont?

A. Yes, sir.

Q. How long has he been here?

A. He will be here two years against June, this last time he has been here; this is the third time he has been here.

Q. Have you visited him since he has been in the institution?

A. Oh, yes; I have been here often.

Q. Does he correspond with you—with his family?

A. He does sometimes, while lately, not within three months.

Q. How came he to be sent here?

A. We had him sent here with the family.

Q. By what authority?

A. We had him examined by two physicians, and they pronounced him insane.

Q. And he was brought here on their certificate?

A. On their certificate; yes, sir.

Q. What is his mental condition now, as compared with what it was when he was committed here?

A. Well, I think he is about the same; he was a little more violent the first time he was brought here than he is now. He is not violent now—when he was sent the first time he was.

Q. Otherwise you do not see much difference?

A. Don't see any difference; he is not any better.

Q. What appeared to be the form of his insanity—on what subject is he insane?

A. Well, one of the main features of his insanity is jealousy of his wife—my mother—that she wasn't true to him; and then he imagined everybody was trying to poison him, and such stuff as that.

Q. Does he still talk and hold to these things?

A. Yes, sir.

Q. Still talk about such things?

A. He has not talked but little about them, but he still thinks that; at least the last time he was home he did.

Q. Has he any hallucinations on the subject of religion?

A. Yes, sir; he has now. Well, he always did, too, since the first—wanted to become minister, I guess—that is one of his principal notions now.

Q. Does he ever attempt to make any public speeches?

A. No, sir; he never did. I heard one he attempted to make the 4th of July.

Q. What was his business before he was committed?

A. He was a store-keeper and merchant, in business in that town about fourteen years, but he never made any attempts of anything of that kind as a public speaker, only since he lost his mind.

Q. You say your father has been here three times?

A. This makes the third.

Q. When was he here first?

A. He was sent here in 1875, about the 1st of July.

Q. Was he discharged?

A. He was not discharged; I think he was taken away. It has been so long, and I was small, I don't remember. We took him home.

By Mr. Graham:

Q. Your mother took him home at that time?

A. Yes, sir; so far as I know.

Q. Then how long did he remain at home?

A. I think about two months ; I cannot just remember.

Q. Did he become violent ?

A. Yes, sir.

Q. And were you compelled to return him to the asylum ?

A. Yes, sir.

Q. Was he returned the second time on certificates of physicians ?

A. Yes, sir.

Q. How was he taken out the second time ?

A. Well, he remained here about nine months. At that time he was very quiet, and never made any trouble. He didn't appear to be contented, and we thought we would take him home. He was only home about two weeks, and then he was as violent as ever. But he was home some time, and we confined him to the room.

Q. How long was he in this time ?

A. Two years this coming June.

Q. Have you seen your father recently ?

A. I saw him at the time the committee was at the Monongahela House.

Q. From your knowledge and observation of him, you regard him as still insane ?

A. Yes, sir.

By Senator McNeill :

Q. Who pays for his keeping here ?

A. We do.

Q. Your family ?

A. Yes, sir.

By Mr. McKenna :

Q. Who were the physicians on whose order your father was sent here ?

A. Well, the first time it was Doctor Clark, of our town, and Doctor Swan. Doctor Clark was of New Florence.

Q. Wasn't there any other ?

A. Yes, sir ; I think Doctor King.

Q. Where is Doctor King ?

A. Fairfield, in Westmoreland county.

Q. The family gave your father some freedoms, and he had returned to insanity ?

A. Yes, sir.

Q. I wish you would state whether your father has frequently written letters to his family.

A. Yes, sir, he has ; but not lately ; my mother was here to see him some time ago, and since that he has not wrote to us any ; but he has not time. He wrote frequently, wanting us to take him out, that he was well enough to take home, and such letters as that.

Q. Were the letters indicative of insanity ?

A. Well, the second time he was here he could sometimes write a sensible letter ; but there was always something in it that you could tell he was not right ; and now he can't write a sensible letter at all ; he can't make complete sense, and letters that we have received lately, any of them, is evidence that he is insane.

Q. Do you know how many letters you have received from him since he came here ?

A. I have no idea how many ; quite a lot.

Q. A dozen ?

A. There has been that many, I know.

Q. Have you got any letters with you that he wrote ?

A. I believe I have one letter.

Q. Did you see your father's Fourth of July speech that was published in the paper?

A. Yes, sir; he gave me a copy of it when I was here to see him.

Q. He gave you a copy of his Fourth of July oration, which was published in the Sunday Leader?

A. Yes, sir; [witness produces paper.] He handed that to me when I was leaving; I do not know who it is directed to, but it is some of his writing.

Q. You may say if your mother and the rest of his family would be very anxious to have your father home, if his faculties were restrained?

A. They would, sir, take him at any time.

Q. Only too anxious?

A. Only too anxious to have him home.

Q. You probably heard that Doctor Sevin stated that he was well enough to be home?

A. Yes, sir; I seen that statement in the Sunday Leader, and then I wrote a reply to it.

Q. Did you ever have to confine him when he was at home?

A. Yes, sir; when he was at home the time before this last time, I had to keep him confined in the room at all times to keep him safe.

Q. Did you have any kind of fastening of any kind on him?

A. Yes, sir; several times we had to put a light chain to his ankles.

Q. Was it fastened anywhere?

A. It was fastened to a staple in the floor; that was the only way we could do for fear he would break out.

Q. That was the last time he was home?

A. Yes, sir.

Q. Do you suppose he would be as violent now?

A. Yes, sir; he is not better now than when he was home the last time. I would not stay in the house with him twenty-four hours if he was at home.

By Major Walker:

Q. Did you ever have any difficulty with him?

A. No, sir.

Q. Or any difficulty with your family?

A. No, sir; I do not think there was a pleasanter man in the country to get along with.

By Mr. McKenna:

Q. You may state if your father could talk intelligently on his treatment in the institution, when he was home.

A. Yes, sir; he spoke the last two times he was here: he always spoke very highly of the institution and the treatment. I always made it my business to ask him how he was getting along, and he always spoke very well of the place.

Q. On that subject he was very rational?

A. Yes, sir; I thought he would not say so if it wasn't true. The majority of insane people do not speak very well of these institutions.

MISS MARY BROWN, a witness who appeared before the committee, and being first duly sworn, testified as follows:

By Mr. McKenna:

Q. Where do you live?

A. I reside in the city of Pittsburgh.

Q. Were you at one time connected with this institution?

A. I was.

Q. Just state in what capacity.

A. I was here as an attendant for almost one year.

Q. When did you leave the institution?

A. Last August.

Q. You were there prior to last August, were you?

A. Yes, sir.

Q. Were you in any particular ward?

A. Yes, sir; I had charge of the ninth ward.

Q. Were you for a while acting in the capacity of a surplus?

A. Yes, sir; I was a surplus for several months.

Q. Were you here at the time the Misses Coulters were here?

A. I was.

Q. How long was you here with them—during the whole period?

A. During the whole period, yes, sir.

Q. Was Miss Mitchell in your ward?

A. No, sir.

Q. Was Miss Norcross?

A. No, sir; I was surplus in the ward where they both were.

Q. I wish you would state, Miss Brown, what you know of the treatment of patients in that ward, generally. I wish you would just state to the committee what you know of the general treatment of the patients here, by yourself and by the attendants here.

A. Well, I know that they are generally very well treated, and never were abused, to my knowledge.

Q. Who were the other attendants in the ward?

A. Miss McCaslin and I.

Q. I wish you would state now what you observed relative to the manner of discharging their duties—which Miss Coulter was it that was in your ward, Miss Kate or Mrs. Coulter?

A. No, I never was in the ward with either of them, only for a short period as surplus.

Q. As surplus, were you in the same ward with either of them, or both of them?

A. I was with one of them—Miss Kate Coulter.

Q. Just state, Miss Brown, what you know about their manner of discharging their duties—did they get along agreeably with the other ladies in the ward?

A. No, sir; they were very troublesome and very hard to get along with, and interfered very much with the other attendants in their treatment of the patients.

Q. How did they interfere?

A. Well, in a great many different ways.

Q. Just describe some of the ways, Miss Brown, in your own way.

A. Well, for instance, Miss Alexander, or the other nurse, would be sleeving a patient, or anything like that, and she would interfere and think it ought to be done some other way.

Q. You may state, Miss Brown, what was your particular duty—what duties did you yourself discharge?

A. The same as any other attendants—taking care of the patients.

Q. I mean what would be your duty as surplus—what duty did you discharge?

A. Well, I discharged the same duties as surplus as I would have been at if I had been a regular attendant in the ward.

By Senator McNeill:

Q. That was while you was in the ward?

A. While I was in the ward.

By Mr. McKenna :

Q. Did you know these patients that the Coulter ladies have mentioned ?

A. I did.

Q. I presume you have read their testimony ?

A. Yes, sir.

Q. Did you read their testimony in reference to Mrs. Norcross ?

A. Yes, sir.

Q. And Katie Fondelier ?

A. Yes, sir.

Q. And Mrs. Selzer ?

A. Yes, sir.

Q. And Miss Diamond ?

A. Yes, sir.

Q. And Miss Mitchell ?

A. Yes, sir.

Q. You read the other statements ?

A. Yes, sir.

Q. Where did you read this—in the papers ?

A. Yes, sir.

Q. Did you read the occurrence stated there, where Miss McCaslin placed a lady, I think Miss Selzer, in a hot bath—a bath-tub of steaming hot water ?

A. Yes, sir ; I read that.

Q. Was there any such occurrence took place at all ?

A. Not to my knowledge.

Q. Would you have heard the screaming if it had ?

A. Certainly I would have known if anything of the kind had happened.

Q. You may state what was the manner and demeanor of Miss McCaslin generally—rough or mild ?

A. No, sir ; generally she was very kind to the patients, and I never saw her use any more force than was necessary with any of them.

Q. You say that was her reputation ?

A. Yes, sir.

Q. Had you considerable opportunities of observing Miss Alexander's treatment of patients of that ward ?

A. Yes, sir.

Q. You may state what your opportunities of observing her conduct was.

A. I was a surplus in the ward with her. I never saw her abuse a patient in any manner whatever. She was always kind to them, and treated them as well as she could, and never used any more force than was necessary with them.

Q. Did you ever hear of any patients being punished by striking them with straps and keys ?

A. Never did.

Q. Or anything of that kind ?

A. No, sir.

Q. Did you ever know or hear, before the testimony of Miss Coulter, of the pail full of water being dashed in the face of one of these ladies, while she was tied down to the bed, by Miss Alexander ?

A. No, sir.

Q. Did you ever think that could have occurred in the ward without your hearing or knowing of it ?

A. I do not think so.

Q. Why do you think so? If it had occurred, would it not have been very likely to have been talked of by the patients?

A. Certainly; would have known it all over the house.

Q. The patients talk about these things that occur as well as the attendants?

A. Yes, sir.

Q. I wish you would state what you know in reference to the treatment of Miss Mitchell—was she under your observation?

A. I never knew her to be abused in any manner; I knew she was very obstinate—a hard patient to get along with.

Q. How would she show that?

A. She would strike at you and resist you in every way, she would try to follow you out—and was very strong—you could scarcely do anything with her at all, and resisted all efforts to take care of her.

Q. Was she very strong?

A. Yes, sir; she was very strong.

Q. Did she manifest or show any signs of destroying her life?

A. Yes, sir; she was a very suicidal patient.

Q. How did she show that?

A. I know of one instance when she tried to put her head under the board of the bed, and tried to choke herself, and I have seen her try to tie a string around her throat—and hurt herself in different ways.

Q. If she had not been put in confinement with the jacket or sleeves, would she have succeeded in injuring herself?

A. She certainly would.

Q. You can state if she had any disposition to injure her person in any way.

A. Yes, sir; bite her fingers and pick the skin off her hands, until they would bleed; and her ears, and in different ways.

Q. Was it to prevent this that the jacket was put on?

A. Certainly; the jacket was never used as a punishment.

Q. Did you know of Miss McCaslin teasing, taunting, and provoking patients in that ward?

A. No, sir; I never knew her to do so.

Q. For the purpose of amusing patients and seeing them get excited?

A. I never did.

Q. Did you say you knew anything about Miss Norcross' treatment?

A. Yes, sir.

Q. What was her disposition?

A. She was very suicidal; indeed, I thought she was the worst patient in the house.

Q. In the treatment of the attendants of her—did you see any ill-treatment or abuse of her?

A. Never did; I know she was a very hard patient to take care of, and I know that Miss Alexander was always very kind and attentive, and watchful over her, and to my knowledge she was very suicidal. I have known her on several occasions to try to take her life.

Q. Do you know any of those inmates and patients I have named injuring any of the attendants, or striking or abusing them?

A. Yes, sir; it is a very frequent occurrence for us to be struck, scratched, or bit, and sometimes they would kick us, a very common occurrence.

Q. Did you ever know of Miss Alexander or Miss McCaslin, either of them, sitting down on the patients as a mode of punishment?

A. No, sir.

Q. Did you ever know of them violently or cruelly foreing them to eat with a knife, and cutting their lips and ehoking ?

A. No, sir.

Q. You remember the time that Miss Coulter was thrown into hysterics from seeing a mouse in the room ?

A. Yes, sir ; I remember it.

Q. You remember that occurrenee ?

A. I do.

Q. Describe it.

A. Well. I remember that she jumped on the bed, and sereamed, and pretended to be very 'fraid of it when the mouse run across the floor.

Q. What did you do in the emergency ?

A. I didn't do anything ; I wasn't afraid of the mouse.

Q. I wish you would describe now, Miss Brown, how the patients were restrained, tied to the bed, the violent ones, the manner.

A. Why, the strait-jaeket was put on them and tied to their side, and then they were tied to the bed by the ankles, from their arms.

Q. You may state if, in doing that, there was any more force used than was necessary.

A. Well, sometimes it was necessary to use a little foree to quiet them, if they were very violent and they resisted you.

Q. Would it sometimes require more than one lady attendant ?

A. Yes, sir ; several ; and then very often we would all get hurt.

Q. Did you know Mrs. Shilling ?

A. Yes, sir ; she was in my ward.

Q. What was her disposition ?

A. A very quiet, harmless patient ; a patient we thought a great deal of.

Q. Did you ever see any force or eoersion used toward her ?

A. It was never necessary to do so.

Q. Why—so quiet ?

A. Because she was a very harmless kind of a patient, never requiring any force ; she was rather silly.

Q. Did you know Katie Haley ?

A. Yes, sir ; she was also in my ward.

Q. Was she very violent ?

A. At times she was.

Q. Did you ever see her do anything excitable ?

A. Yes, sir ; I remember getting a pretty good seratch from her once.

Q. You did yourself ?

A. Yes, sir.

Q. Did you know of Miss McCaslin getting similar treatment ?

A. Yes, sir.

Q. What is your recollection of Miss Watt's treatment ?

A. Miss Watt was also in my ward. I know she was treated well, and never was abused in any way.

Q. She was there at the time the Coulter girls ?

A. Yes, sir.

Q. Did you ever hear of her being violently treated ?

A. No, sir.

Q. Or compelled to eat food ?

A. Well, it was sometimes necessary to compel them to eat, but she was never injured or abused in any way from it.

Q. I wish you would state about Miss Noreross—how she manifested her desire to destroy her life ?

A. Well, in various ways. I have seen her try to choke herself with

pebbles, pins, and matches, and saw her once cutting her throat with hair-pins. I remember once that Miss Alexander and myself were going to retire, and she had a string, and had put it around her neck to choke herself with it. I have seen her out walking, and try to swallow all sorts of things, and I have seen her at one time picking up some lime and trying to eat that, and another time I saw her take a string from her hood and try to choke herself with that.

Q. Do you remember Miss Bonner?

A. I do.

Q. Miss Coulter testified to seeing Miss Coleman and Miss Alexander striking her with a strap.

A. I never knew them to abuse her in any way. I know she was a very stubborn and hard patient to manage. I have helped to take charge of her many a time.

Q. Could this treatment of any of these ladies I have named occur, do you think, during your administration of those wards, without your knowing or hearing of it?

A. No, sir.

By Senator Hart:

Q. In placing the sleeves upon the patients upon their going to bed, where was it usual to place the knot?

A. Generally at the side. The matron always instructed us, so that the knot would not hurt the patients at all, and make them as comfortable as possible.

Q. Do you know of any patients being tied in bed, with the sleeves on, with the knot directly over the spine?

A. No, sir; they were not tied in that way.

Q. Do you know of this Miss Norcross being treated in that way?

A. I never knew of her being treated in that manner, and I have helped to sleeve her many a time.

Q. Neither her nor no other patients?

A. No, sir; we always had instructions not to do so.

By Major Walker:

Q. You stated at the time Miss Norcross was confined to bed, after she was sleeved, if water had been thrown upon her you would have heard of it.

A. Certainly.

Q. Did you ever hear of it?

A. I remember once she took a queer kind of a spell that the Doctor, I believe, ordered Miss Alexander to throw water on her to bring her to. I don't know that. That wasn't when she was tied in bed. I never saw it thrown on. I remember of hearing of it.

Q. Was it possible for such a thing to have been done without your knowledge?

A. No, sir.

Q. Would you have known of it—it would not have been impossible at all?

A. If water had been thrown on the patients to punish them or abuse them in any way, I would have known of it.

Q. How would you have known it—somebody would have told you?

A. Yes, sir.

Q. Would you have known of it of your own knowledge?

A. I would not have seen it, of course—I would have heard of it.

By Mr. McKenna:

Q. Did you ever know of any of this treatment to be used as a punishment?

A. No, never.

Q. Was it ever in that spirit as a punishment that this treatment was used?

A. Certainly not. It is necessary.

By Major Walker :

Q. Punishment is necessary sometimes ?

A. Well, we never thought it was necessary with these people.

By Mr. Graham :

Q. When you say force, it was to restrain these patients from doing themselves and others injury ?

A. Certainly ; it wasn't as a punishment.

Q. That was the only time force was used ?

A. Force was only used when it was absolutely necessary.

Q. That arises from the necessity of preventing them from injuring themselves and others ?

A. Certainly ; to prevent them from injuring themselves.

WILLIAM HARPER, a witness who appeared before the committee, and being duly sworn, testified as follows :

Examination by Mr. McKenna :

Q. Just state to this committee how long you were employed at Dixmont, and in what capacity.

A. I was employed in the capacity of an attendant ; I can't exactly say, I think I was employed there eight months.

Q. When did you leave the institution ?

A. I left it in the year 1879 ; I don't remember the months.

Q. What business are you engaged in now ?

A. The brick business ; I live in Allegheny City.

Q. You are in no way interested or connected with Dixmont now ?

A. No, sir.

Q. Do you remember the arrival of a patient named A. P. Hopkins ?

A. No, sir.

Q. Do you remember J. W. Carroll, of Oil City ?

A. Yes, sir.

Q. Were you one of the committee to receive him ?

A. Yes, sir.

Q. Describe what he said and did.

A. Well, the first I knew Mr. Carroll was his advent or appearance in my ward. He came in the afternoon. The first I knew about Mr. Carroll, the first introduction I got to him was he said, " You are a nice-looking devil, you look just like Bob Ingersol ;" whereupon he came and gave me a kick ; that is the first I knew him.

Q. Where did he kick you ?

A. He kicked me in the stomach.

Q. Just go on and tell what antics he performed.

A. Well, it is impossible for me to tell all the antics he did in my ward.

Q. What did you do ? Did you call for help ?

A. On account of his violence he was placed in the strong room.

Q. How long did that violent spell last ?

A. I can't tell just how long ; it lasted several days ; he was more or less violent while in my ward.

Q. What ward was he in ?

A. He was in the eighth ward.

Q. That was the first ward he was admitted in ?

A. No, sir.

Q. He was admitted into the first and then placed in this ?

A. I knew nothing about him until he was admitted in my ward.

Q. Did you give him any medicine?

A. Yes, sir; at first I tried to administer some medicine according to the doctor's instructions, and he bit a piece out of the glass. It was reported to the doctor, who brought in another dose. I tasted it first; I did that to assure him it would not hurt him, and I administered it to him in a tin.

Q. According to whose orders was that?

A. Doctor Wylie.

Q. In what kind of a room was he confined in?

A. It was a strong room, but a comfortable room.

Q. There was no damp rooms in the ward?

A. There is nothing damp.

Q. How was it that time with regard to the temperature?

A. Well, I don't know exactly the degrees of temperature with regard to the thermometer; I know from my sensations that it was comfortable.

Q. Was it always regulated so as to be comfortable?

A. Yes, sir; always.

Q. Did you ever know the attendants or patients there to suffer from cold?

A. No, sir; never did.

Q. You stated that he refused to take the medicine out of the glass—bit a piece out of the glass?

A. Yes, sir; bit a piece out of the glass.

Q. Then what article did you put the medicine in?

A. With regard to the administration of the medicine we took a tin.

Q. Did he take it then?

A. He did, after me showing him that it would not hurt him. I said there was nothing in it to hurt him, and I took it and tasted it, and then he took it.

Q. I wish you would state whether he could be controlled without the use of force.

A. No, sir; he could not.

Q. Was any more force used on him at any time than was absolutely necessary?

A. No, sir; there never was.

Q. Did you see any of the attendants strike him or abuse him?

A. No, sir; I did not.

Q. He charges that you struck him—kicked him with big heavy boots.

A. I never wore a pair of boots in the ward, and never owned a pair while I was in the institution.

Q. What did you wear?

A. Light slippers.

Q. Did all the attendants wear slippers?

A. Always, to my knowledge.

Q. Was Mr. Carroll very violent?

A. He was one of the most violent patients ever I had to deal with—violent and dangerous.

Q. Just tell how he showed it.

A. Picking and fighting with the patients, with us or with anybody that was in his reach.

Q. Mr. Carroll states that once while he was out walking, he looked in the window of your ward and saw you maltreating a patient, and begged you not to.

A. Mr. Carroll never made his appearance, and I never saw him after he left the ward.

Q. Do you remember any such occurrence, or him saying, "Harper, what are you doing there?"

A. No, sir; I never saw him after he left the ward.

Q. You deny that he detected you maitreating a patient?

A. Yes, sir.

Q. Or that he spoke to you at all?

A. Never saw him after he left.

Q. Just state now, Mr. Harper, what trouble you had to get the jacket on a man like Carroll—how many attendants did it require?

A. Well, it took the united force of three attendants in the ward—myself, James McConnell, and Brown.

Q. Was he choked?

A. No, sir.

Q. Was a knee put upon his chest?

A. No, sir; he was laid down, and a strait-jacket put on him.

Q. Was there anything on his chest or stomach, or was he kicked in the ribs?

A. No, sir; he was not kicked, struck, or anything of the kind.

Q. Just overpowered?

A. Just overpowered.

Q. Did you know an attendant there named Brown?

A. Yes, sir; I knew him.

Q. You can state whether when Brown was in your ward if he had a chamber in his room?

A. Yes, sir; all the patients had.

Q. Was there a chamber for him to urinate in?

A. Yes, sir. He demolished it, though.

Q. Just tell us about that.

A. Well, when we opened his door in the morning we found the chamber demolished, and we found the corner instead of the chamber—he had also divested himself of his jacket, and also his clothes partly; and he had taken and smeared his face and head with excrement, and he had also shoveled it off the floor and taken his hands and drawn some kind of a map with it.

Q. You saw that?

A. Yes, sir.

Q. There was no one else in the room?

A. There was no one else in the room; it would not have been safe.

Q. Was there a bedstead in the room?

A. No, sir; but there was a good, comfortable floor.

Q. In the morning when that was discovered, did you order the attendants to abuse him and assault him for having done so?

A. No, sir; it was cleaned up.

Q. What was done with him?

A. Well, he was taken down to the bath-room and washed and cleaned.

Q. Did he resist?

A. He resisted invariably everything you attempted to do with him.

Q. Did you use any more force than was absolutely necessary?

A. No, sir.

Q. You say his room was cleaned up right away?

A. Yes, sir.

Q. Is that always the case?

A. Always the case.

Q. Is that a matter of pretty frequent occurrence with other patients—smearing their rooms in a similar manner?

A. Yes, sir.

Q. Very frequently?

A. Very frequently.

Q. I understand you are one of the men that helped to see to that room?

A. Yes, sir.

Q. Did you see McConnell, or a patient named Lovell, strike him or abuse him?

A. I saw Carroll strike Mr. Lovell, and Lovell attempted to kick him; he kicked at him and was told to stand back, which he did.

Q. Who was Lovell?

A. He was a patient, but was just as liable to strike us as he was Mr. Carroll.

Q. Did Mr. Carroll, in the exercise of this force by you or others, receive any abuse?

A. I never saw any abuse in the institution or in my ward. I have seen restraint used putting on the jacket—necessary restraint and necessary force.

Q. Mr. Carroll was a pretty strong, vigorous man?

A. Very decidedly so. He was one of the strongest men ever I had to deal with, and one of the most determined I have had to deal with in any respect.

Q. You know what his hobby was, or hallucination?

A. Well, he had the hallucination that the devil was in his throat; he was continually clutching at it, and pulling out his beard; on one occasion—I might say frequent occasions—he asked me to take a knife and cut him.

Q. Cut the devil out?

A. Cut the devil out of his throat.

Q. What did he say he was choking himself for?

A. He said when he was grasping at his throat he wanted to get the devil out of his throat.

Q. Did you ever have to sleeve or subject him to restraint in any way?

A. Yes, sir; by the directions of the doctor.

Q. What was that for?

A. To restrain him and prevent him from injuring himself.

Q. Did he submit to it gracefully?

A. No, sir; that was not the style of Mr. Carroll.

Q. I understood him to say that he told you if you would let him alone he would do what was wanted.

A. No, sir.

Q. Did you know about Doctor giving Carroll medicine?

A. Yes, sir; the first night, if I remember right. Doctor Wylie was in that afternoon several times, and then I think he was in at ten o'clock.

Q. To visit Mr. Carroll?

A. Visiting Mr. Carroll.

Q. Did you know Samuel Caldwell?

A. Yes, sir.

Q. Was he in there?

A. Yes, sir.

Q. You don't know anything about Mr. Hopkins?

A. I never knew Hopkins in my life.

Q. Do you know why Mr. Carroll was not allowed to have a bedstead?

A. On account of his violent conduct. He might injure himself and break the bedstead and break out or something like that.

Q. Did he make any noise?

A. Yes, sir.

Q. Could you, as an attendant, after you had retired at night, hear a noise?

A. Always hear—always hear. I have repeatedly risen at night and turned over epileptic patients who had turned over on their faces in convulsions, and turned them over on their backs for fear they would smother or something of that kind.

Q. I wish you would state if during the eight or nine months you were there you saw any unnecessary force or restraint imposed upon inmates.

A. I never saw any unnecessary force or restraint.

Q. You can tell this committee what were the instructions and rules imparted to you by Doctor Reed and his assistants in reference to the use of force.

A. Well, we were told to deal with patients firmly and kindly, and in case of any outbreak or violent demonstrations we were to sleeve them and to put the muffs on them, and after doing so we were immediately to report to the doctor—to Doctor Wylie or to Mr. Caldwell, and they were to use their own discretion and always used their own discretion with regard to whether we did right or not.

Q. Do you know of the doctors sometimes, when you folks had used the jacket or restrained, require them to be taken off?

A. Yes, sir; I have known that to be the case on several occasions.

Q. Was Carrol in restraint when he entered your ward?

A. He had a pair of muffs on.

Q. You were there when he left, I presume?

A. Yes, sir.

Q. Just tell us, up to the time that he left, how he was treated with respect to diet, food, and bedding while in your ward.

A. Well, in regard to bedding, he had a good, nice comfortable bed; with regard to diet, I think he fared better than we did, because the doctors sent him some delicacies that we did not get.

Q. Were you seated in the same dining-room and at the same table he was?

A. Yes, sir; he ate at the same table.

Q. Did he seem to partake of his food with a relish?

A. Yes, sir; so far as I can remember. I remember he ate very well.

Q. After he was taken to the sixth ward you knew nothing about him?

A. I never saw him after he was taken to the sixth ward.

Q. Was that an advance to remove him to the sixth ward?

A. That I cannot tell. It was the doctor's province to remove patients; but he was still excited when he left my ward. He was not so violent and demonstrative, but he was still excited.

Q. Would that be towards evening or during the night that he would take these spells?

A. Always towards evening—generally worse in the evening.

Q. You say you know of none of the attendants abusing the patients?

A. I never saw a patient abused.

Q. What were you given to understand would be the result of your undertaking to strike back or assault?

A. I understood I retained my position by reason of treating the patients humanely.

Q. Have you been attacked or assailed by the inmates?

A. I have in my time.

Q. Describe some of them to the committee.

A. I can describe a few of them. One time I was almost choked to death in attempting to put the sleeves on a patient, he struck another

patient in the hall, and it was meal time and the other man, the dining-room-man, was in the dining-room. I went and brought down a strait-jacket, and I thought I would put it on him, as I had done the same thing before; he retreated into the room and closed the door upon me and knocked me down, and I had the jacket in my hand, this way; I held it up before him, he knocked me down and struck me, and almost choked me to death if the other attendant had not come to my rescue.

Q. Can you recollect that other patient's name?

A. Yes, sir; his name was Thompson.

By Mr. Hart:

Q. Mr. Harper, did you notice any beard having been pulled from Mr. Carroll's face?

A. No, sir; I did not notice any beard from his face, of any account.

Q. Did you notice at the time you speak of, when he was found in the room with his room all dirtied up, and you removed him to the bath-room, any blood upon his chin or on his face?

A. No, sir.

Q. How many patients were present at the time you were attempting to take Carroll from his room to the bath-room—in the room, I mean?

A. There was no one in the room.

Q. Where was it this patient kicked at him?

A. In the hall, right at the door.

Q. Was there more than one patient attempted to do him any violence?

A. That is all I know of at that time.

Q. How did you take hold of him, or manage him, to get him from his room to the bath-room?

A. Why, by walking him down—taking him down.

Q. Had he clothing on at that time?

A. When we were taking him to the bath-room?

Q. Yes, sir.

A. Yes, sir; he had.

Q. Do you remember whether he had torn his clothing any in his room?

A. Yes, sir; he had his pants and vest when he went to the bath-room.

Q. Did you ever hear any complaints about any soreness he had about him after this restraint? Were there sore places upon him?

A. Never any more than I knew before.

Q. Did you know a man in the ward by the name of Meyers, a patient?

A. Yes, sir; I saw him in that ward—a man by the name of Meyers—a couple of them, I believe.

Q. A German?

A. Well, I could not say whether he was a German or not, or of German descent; I believe he could speak German.

Q. Was there a man in there by the name of Lovell?

A. Yes, sir.

Q. A patient, also?

A. A patient; yes, sir.

Q. Did you ever see Meyers and Lovell get into a scuffle among themselves?

A. Yes, sir; they have. I have seen so many patients get into fusses—yes, sir; I think I have.

Q. Do you remember, upon one occasion, when Lovell and Meyers got into a scuffle, of striking Meyers with a strap?

A. I never remember of striking a patient with a strap, let alone Meyers.

Q. Here is what I refer to: "Harper came at Meyers with a leather

strap; I think the strap was about two feet or two-and-a-half feet long, with an iron buckle on."

A. No, sir; came at no patient with a strap. When I come to think of it, I don't think there is a strap in the institution with an iron buckle; I never saw one in my ward.

Q. Did you ever strike Meyers or Lovell, or any other patient, with a strap?

A. No, sir.

Q. Did you see anybody else strike them?

A. No, sir.

By Major Walker:

Q. When they fasten patients down to seats in the ward, what do they fasten them with?

A. I really don't remember ever seeing any fastened—not to my recollection.

Q. How came you to leave the institution, Mr. Harper?

A. Well, just got tired and left.

Q. Who was the other attendant in your ward while you were there?

A. Brown, his name was.

Q. How long had he been there?

A. I don't remember.

Q. Longer than you had been?

A. Hadn't been as long.

Q. Who else was present at the time Carroll was restrained?

A. With reference to the attendants?

Q. Yes, sir.

A. Well, I might just state here that there was three attendants in our ward; there was a man working the men at stated times in the day; he was always present at meal times, come in sometime in the afternoon, and was supposed to help us at meal times and at bed time.

Q. What was his name?

A. James McConnell.

Q. Was there any other person present at the time?

A. No, sir; not to my knowledge.

Q. Was there any other person present who was not a patient?

A. I don't remember whether the doctors were in right then or not.

Q. This was in the eighth ward?

A. The eighth ward.

Q. Did this patient kick Mr. Carroll, or kick at him?

A. Kicked at him.

Q. Did he strike him?

A. He did not strike him—kicked at him.

Q. Do you know where this man Brown is?

A. No, sir; I don't know where he is.

Q. Have you seen him since?

A. I never saw him since he left the institution.

Q. You have answered pretty generally in reference to trying or putting the strait-jacket on Mr. Carroll—there were three of you there, were there?

A. Yes, sir; there were three of us putting the strait-jacket on.

Q. He resisted, of course.

A. He resisted.

Q. With all his strength?

A. Well, he resisted with prodigious strength.

Q. He is a powerful man?

A. Yes, sir.

Q. Did it require three of you to put it on?

A. The united strength of three.

Q. Mr. Harper, in putting the jacket on Mr. Carroll, was it necessary for you to throw him down upon the floor?

A. I should think it was, certainly.

Q. Did you do it?

A. We did; we laid him down and put the jacket on him.

Q. After you got him down on the floor for the purpose of putting the jacket on him, how did you hold him there?

A. I can't just say how we held him.

Q. I want to ask you, how did you hold him down there?

A. Why, with all the strength we had.

Q. How was it possible to hold a strong, powerful man down?

A. I will give you an illustration. Just bring in a strait-jacket, and any three of you try to put it on me, then I will show you how we held him down.

Q. You did not hold him down?

A. No, sir; all three of us.

Q. All three of you?

A. Yes, sir.

Q. After you got him down, how did you hold him—each hold of his legs or arms?

A. I will show you. Hold one arm and then shove that arm in, then the other, of the jacket.

Q. What would he be doing with his legs in the meantime?

A. Why, he would be kicking.

Q. Kicking?

A. Yes, sir.

Q. Did the other attendants assist in holding his legs—I want to know what you three men were doing when you held him down there?

A. Why, we tried to put the jacket on.

Q. How did you succeed?

A. We put it on; we didn't succeed until——

Q. I am going to keep at you until you tell me what you did—you are obliged to tell.

A. That is what I am doing.

Q. You will have to tell me all about it.

A. Keep at me.

Q. You say there were three of you. At what part of the man were you three?

A. It would be hard to tell.

Q. So you don't know?

A. I can't say whether I was holding the foot, toe, or leg. I know that I was one of the three putting the jacket on, and it took the united force of us three to put the jacket on. I can't say whether I was holding his foot, his toe, or his leg, but we put it on.

Q. I ask you what part of this man's body you was in putting the jacket on?

A. I can't remember; I put on near, I suppose, twenty or thirty jackets.

Q. That is perfectly satisfactory, if you don't know where you was.

A. I know I was in the eighth ward, and put it on.

Q. I asked you at what part of the body you was.

A. I don't remember.

Q. Where were the other two men?

A. I can't remember what portion of the body ; they helped to put the jacket on.

Q. You don't know where they was ?

A. They were present assisting to put the jacket on.

Q. I understand you were putting the jacket on, but I want to know how you put it on.

A. We put it on by force.

Q. Were you allowed to use force ?

A. Yes, sir.

Q. That was proper for you to do ?

A. Yes, sir.

Q. I want to ascertain whether, in using the necessary force to put this jacket on Mr. Carroll, it was necessary for you to confine his legs to the floor in some way or other ?

A. I don't think it was ; to tie his legs.

Q. I did not say to tie his legs.

A. You allude to them about kicking around ?

Q. I am asking you what you did with his legs, or what was he doing with them.

A. I can't answer that question ; I can't remember the various gesticulations of his legs.

Q. Then say you don't know.

A. I can't remember where each of the three of us was around his body putting his arms in the jacket.

Q. I said nothing about his arms in the jacket at all. You will confine yourself to the question I asked you, and you will get along a good deal easier.

A. I am telling the truth.

Q. I have no doubt about that. I want to know whether you held his legs down when the jacket was put on ?

A. I don't remember any particulars of the performance ; I remember the operation of putting on the jacket.

Q. Don't you see I am not asking you that question ?

A. I am answering your questions as directly as I can.

Q. Let me ask you this question : Were his legs held down by any person while that jacket was being put on ?

A. I don't know whether they was, or not, or kicking around in the air.

Q. Do you know whether any one of the three attendants had their legs upon the body of Mr. Carroll in any way in order to hold him upon the floor ?

A. I can remember of us trying to put his arm——

Q. I did not ask you that. Answer my question.

A. Answer what question ?

Q. Do you know whether any one of the three attendants had their legs upon the body of Mr. Carroll in any way in order to hold him upon the floor ?

A. We put Mr. Carroll upon his back, and we placed the jacket in front of him, and then, after getting his arms in the jacket, whether we had a leg on him, or not, I could not say.

Q. Mr. Harper, would it be possible to hold as strong a man as Mr. Carroll upon the floor, and he resisting, without you putting your leg or some portion of your body, upon him ?

A. I don't remember at the present just what the exact *modus operandi* was with regard to putting the jacket upon him.

Q. Then do you remember, or do you not remember? Refresh your recollection whether any one of the three attendants had any portion of their bodies upon Mr. Carroll holding him down upon the floor? Just answer that, without going into an explanation. If you don't remember, why, say that.

A. Well, I can't remember anything more than we put the jacket on him. That is all I can mind about what particular way we put it on him, only we put it on. That is all about it. We did not use any more force than was necessary, and I can't remember just exactly how we put it on him, only we put it on.

By Mr. Graham :

Q. I suppose the position changed often, you three struggling on the floor—your position and his position?

A. Very often.

Q. In fact, they changed so instantaneously you can't remember?

A. No, sir.

Q. And now you are not able to describe the various positions?

A. They changed so instantaneous.

Q. I suppose it was a tussel upon the floor, and your position was changed twenty times probably in putting on the jacket?

A. Yes, sir.

By Mr. McKenna :

Q. You had your senses about you sufficient to know whether you or any of the attendants kicked him?

A. There was no one kicked him.

Q. Was it necessary?

A. If I considered it necessary, we dare not kick him. No one kicked him.

Q. You may state if in Mr. Carroll's excited state of mind, would he be very like to recollect this occurrence?

A. Mr. Carroll, to my mind, would be able to recollect anything very well. I considered him insane—I considered he did not know what happened one day—the day before.

Q. Do you know where Carroll is now?

A. I do not, and I do not want him very close to me, I know that.

BERNARD BURNS, M. D., a witness who appeared before the committee, and being duly sworn, testified as follows :

By Mr. McKenna :

Q. Doctor, where do you live?

A. At Glenfield, close to Dixmont.

Q. Where did you study medicine?

A. I studied in Pittsburgh and graduated in Philadelphia, at Jefferson Medical College.

Q. Were you ever connected with any hospital after your graduation?

A. Yes, sir; I was house physician and surgeon in Mercy Hospital in Pittsburgh for the official term of about a year, and then I served an unexpired term of my predecessor for about six months.

Q. Had they, occasionally, insane patients there?

A. Yes, sir; we had patients brought there occasionally who were insane; sometimes different forms of insanity.

Q. Placed under your care and treatment while there?

A. Yes, sir.

Q. I wish you would state if by reason of your closeness to Dixmont Asylum since your removal—when was that?

A. That was in 1876.

Q. Just state since your removal to Glenfield if you had frequent occasions to visit Dixmont hospital and to send patients there?

A. Yes, sir; I visited there very frequently, indeed; both in the capacity of examining physician of the patients presented for admission as to their insanity and also as a visitor.

Q. Have you been through the various wards?

A. I have been through the wards many times—very many times.

Q. Did you observe their method of treating the insane there?

A. Yes, sir; both the mannerisms of the physicians, attendants, and patients.

Q. You know their method of treatment of the insane?

A. In a general way—yes, sir.

Q. I wish you would state, Doctor, if you knew Doctor Sevin who was confined there for sometime?

A. Yes, sir; I met Doctor Sevin there in the institution.

Q. I wish you would state first, before saying anything about Doctor Sevin, the result of your observation of the method of treatment and the care and management of Dixmont hospital—what you saw during the several years as a visitor?

A. Perhaps the most prominent feature that attracted my attention was the excellent management of the institution throughout all of its details. The institution appeared cleanly, well kept, always orderly, attendants respectful and in their places, attentive to patients—seemed to me, so far as I observed, always alike attentive to patients, when I went; that is personal observation you asked me about.

Q. Yes, sir.

A. The patients appeared to be comfortable. I never saw a demonstration that seemed out of place; in fact, was always impressed with the good behavior of the patients, considering that they were insane.

Q. Were you given to understand, or was it communicated to you in any way, the policy of the institution with regard to the use of force on refractory patients, or was there any system of punishment there?

A. I am not familiar with any system of punishment being in existence there.

Q. Have you had any occasion to send patients there yourself?

A. Yes, sir; patients have been admitted there on my certificate, joined with others.

Q. And subsequently examined their progress?

A. Yes, sir; I have.

Q. You may state if you have any knowledge of the merits of the institution, in a curative way, of insanity.

A. From observation, with others, and in a general way, my personal experience in the care of excited patients, I would say that they succeed in managing them very well. Their results, I think, are very good. The great difficulty is to keep patients restrained—keep them with the feeling of responsibility to some one, to some head, and that is the trouble; and it occurred to me that it was always the impression there that they were well-behaved in demeanor and the moral treatment was very good.

Q. Were you there on formal as well as informal visits?

A. Yes, sir.

Q. Was the institution always in good condition?

A. I have seen it after visiting hours and in visiting hours, and at various times in both daylight and after night, and spent the evenings occasionally there with the physicians, and it was always the same.

Q. Do you know if any recreation is afforded to the patients—exercise?

A. Yes, sir; I have met the patients out about the grounds and buildings, some taking exercise and walking, some physical exercise, and out driving.

Q. The patients that you have sent there, did you afterwards have occasion to examine to see how they were taken care of?

A. Only professionally seeing them, and wishing to see how they progressed under the treatment.

Q. I wish you would state the progress of the treatment of any patient that fell under your observation—I mean as to their care and progress.

A. Well, it would be very difficult for me to remember; it has been so many years. I have examined those whose friends applied with to have them admitted. I have seen many of them after being in the institution again, but never had an opportunity, of course, to notice officially the result of the treatment. I know of one patient that was discharged after being admitted as insane—admitted on my certificate, myself and others.

Q. Doctor, as the result of your observation and visits to that institution, living so close to it as you do in Glenfield, state if you ever knew of any ill-treatment or abuse of patients in the institution.

A. No, sir; I never did. I thought that institution—and I think so of course justly, I think that is one of the best regulated institutions in the country that I have observed. I have never been cognizant of a single case of maltreatment or abuse, and I don't believe there is such a thing as an established system of punishment in the institution, that is looked on as punishment any more than moral restraint and such general measures as that in the care of the insane.

Q. Do you know anything about the facilities afforded patients to approach the physicians in charge?

A. Their patients are at liberty to walk through the building at all times, and I have been there and seen them walking about the wards or rooms and the doors open, and at liberty at all times to converse with the physicians in the room. I have always seen the physicians speak kindly to them, treat them kindly, and never any return of malice, ill-feeling, or harshness; I never witnessed harshness at all.

Q. Do you think you have been through all the apartments of the inmates?

A. I think I have been through all, or nearly all, the departments; I don't know whether I have been through the eighth ward or not; I am not sure.

Q. Do you know of the medical association visiting there?

A. I do.

Q. Were you along on that occasion?

A. I was.

Q. Were you shown through the whole building?

A. They were shown throughout the building.

Q. And every facility extended to them?

A. Yes, sir.

Q. What was the result of your observation of Doctor Sevin?

A. Doctor Sevin, since 1876, at various times I visited the institution I met him very repeatedly; I never had any prolonged conversation with him. I would meet him and speak to him, and he seemed a gentleman of considerable learning and familiar with foreign writings and familiar with the writers, and a very agreeable gentleman to talk to; he always seemed to have a knowledge himself of his condition of sanity. I have had several private conversations, sufficiently private that if he were disposed he could have made complaints of the institution of abuses to me, or give me a

letter; he had many opportunities of saying that he was maltreated if it were so, but he never made such a statement. I would never believe from his appearance that he was under the belief that he was abused; he seemed contented and happy.

Q. Did he seem to have reading matter in abundance?

A. When I met him he was probably taking his exercise in the wards or billiard-room. I never met him in his room.

Q. Do you know anything about the wants of patients and reading matter being supplied?

A. I know they are supplied with reading matter abundantly. There are libraries in nearly all the wards, and I presume if the patients are disposed to read they could.

Q. Did you see books sometimes in the rooms?

A. Yes, sir; many of them distributed throughout the institution there; there did not seem to be any restraint that way.

By Major Walker:

Q. Did you ever, Doctor, send any patients yourself to Dixmont?

A. In my own practice, do you mean?

Q. Yes, sir; those that you would attend yourself, your own patients as is understood in the profession.

A. Well, I presume you call them my patients if they were examined and sent to the institution on my certificate.

Q. No, sir; other than that.

A. In my own private practice I never sent one to Dixmont Hospital, to my recollection.

Q. In signing the certificates you have mentioned, for the admission of patients to Dixmont, were you requested to do so by the officials of the hospital?

A. Sometimes I was, and sometimes by the relatives of the patients. If the relatives of the patients would come to my office, and ask me to examine into the case of insanity, I would certify whether they were insane or not.

Q. About how often were you requested by the officials of the asylum to examine patients, and certify to their admission?

A. Well, I would not be able to state positively; I might be able to tell by looking at my books of accounts. I could have no definite idea how many patients I certified to as to their insanity.

Q. About how many?—I don't expect you to tell accurately.

A. That would be very difficult for me to answer. Sometimes I might examine, say, from eight to twelve, and then I might not examine more than three or four; in another year, it might be more than twelve, but I don't think so.

By Mr. McKenna:

Q. Doctor, you may state where, in your practice, you would recommend insane patients to go for treatment?

A. I would recommend them to go to Dixmont Hospital, by all means, from my knowledge of their care and the thoroughness of the institution.

Q. Are we to understand by that, patients from this immediate locality?

A. No, sir; so far as my knowledge goes, I would send them there from any place.

Q. Are you acquainted with Kirkbride's?

A. I am.

Q. You consider Dixmont superior to Kirkbride?

A. Yes, sir; I do.

ELIZA H. HOPE, a witness who appeared before the committee, and being first duly sworn, testified as follows :

By Mr. McKenna :

Q. Miss Hope, how long have you been connected with the institution ?

A. Seventeen years and a half.

Q. What was the first capacity in which you came here ?

A. Well, I was engaged in sewing at first—the first five months.

Q. Were you what they call a surplus ?

A. No, sir.

Q. It is a different position ?

A. A different position.

Q. How long have you had charge of the wards of the female department ?

A. Eleven years.

Q. Your official title is supervisoress ?

A. Yes, sir.

Q. How many attendants have you under you ?

A. Well, we have sometimes twenty-four, and sometimes twenty-seven and twenty-eight.

Q. You were here, of course, for a long while before you took charge of the department ?

A. Yes, sir ; I was here a good while—over six years.

Q. You may state, Miss Hope, what your duties consist of as supervisoress of the wards.

A. Well, my duties are to go around through the wards and see the patients and visit them ; give the nurses directions about taking care of them ; to see that they keep the wards clean, and everything in good order.

Q. See that they perform their duty ?

A. I see that they perform their duty ; yes, sir.

Q. Who gives them their instructions as to their duty ?

A. Well, I do.

Q. They receive all their instructions and orders from you ?

A. Yes, sir.

Q. And you receive your instructions and orders from whom ?

A. Doctor Reed.

Q. You may state, Miss Hope, what the orders and instructions were that you received from Doctor Reed, relative to the treatment and attention to the patients here ?

A. Well, they are to see that they are properly fed and clothed, and their medicines are given properly, according to the doctor's directions, and see that everything we can is attended to for their comfort.

Q. With respect to your duties of visiting the wards in the female department, how often are you required to visit the wards ?

A. Well, I go generally about six times all around every day ; when there are cases of sickness I go oftener than that ; I could not tell, sometimes, how often I would be in the ward where there would be sickness.

Q. What is your regulation about patients retiring at night, and getting up in the morning ?

A. Why, they are supposed to be all in bed at nine o'clock ; they are not required to go to bed before nine unless they choose to, but most of them do.

Q. And the hour for rising ?

A. Five o'clock.

Q. What are your hours for meals ?

A. Well, we have breakfast at half-past seven, dinner at half-past twelve, supper at half-past five ; I think that is our general rule.

Q. All patients that are not violent are permitted, are they, to attend the dining-room ?

A. Yes, sir.

Q. Those that are violent and sick, what arrangement is made for their meals ?

A. Why, if they are very bad we feed them in the rooms ; if not so bad, generally set them in the hall and feed them, and sometimes take them into the dining-room after the others are out.

Q. What is your instructions to your attendants in reference to the treatment of refractory patients ?

A. Why—do you mean excited persons, do you ?

Q. Yes, ma'am.

A. Well, my instructions are to watch them carefully and see that they don't hurt themselves or hurt others.

Q. What is your instructions in reference to treating all the patients ?

A. Why, treat them kindly, and civilly, and answer all reasonable questions as far as possible, and be generally kind.

Q. Do you tell those instructions, in turn, to the attendants ?

A. Well, yes, I try to.

Q. Do you enforce them ?

A. Yes, sir ; I try to do that, too.

Q. In respect, now, to patients that are disagreeable, or violent and stubborn, what is your regulation and instructions to the attendants as to treating them ?

A. Well, we generally put restraint on them if they are very bad, unless we can just stay beside and watch them ; but we cannot always do that.

Q. By whose order ?

A. The order of the physician.

Q. Is there anything done in the way of punishment of these people ?

A. No, sir ; there is nothing of that kind done.

Q. Are you invested with any power of punishment ?

A. No, sir ; I am not, and would not wish to be.

Q. Do you know of any punishment ?

A. No, sir.

Q. Nothing is done as punishment or retaliation ?

A. No, sir.

Q. It is not allowed ?

A. It is not allowed.

Q. What would be the penalty ?

A. Why, the person would be discharged.

Q. Who—the attendants ?

A. Yes, sir.

Q. What provision is made at night for sick and delicate patients ?

A. Why, if they are very sick we have some one to stay up and watch them, and take care of them the same as you would any other sick person at home.

Q. Is there a physician attends the female department ?

A. Yes, sir ; Doctor Hutchinson attends to that.

Q. How often does he visit the ward ?

A. Well, I have known him to be in six or seven times a day, when there would be sickness.

Q. Does he see every patient every day ?

A. Yes, sir.

Q. You report cases of sickness or injury to him ?

A. Yes, sir.

Q. Is he liable to be called up at night ?

A. Yes, sir.

Q. You know of that being done ?

A. Yes, sir ; that has been often the case.

Q. I wish you would state, Miss Hope, under whose directions the diet and the food given to the patients is ?

A. Why, that is under the superintendence and directions of the doctor.

Q. Is there special diet for those that are sick ?

A. Yes, sir.

Q. Who orders that ?

A. The attending physician.

Q. Do you know of any patient at all, under your administration, going to bed hungry or suffer for food ?

A. No, sir ; I never heard of any such thing.

Q. You may state, in reference to the character of the food, is it wholesome and healthy ?

A. The food is very good and abundance of it.

Q. There never was anything like a famine in your department ?

A. No, sir ; I never saw anything like a famine, we always had plenty.

Q. Do you remember two young ladies—the Coulters ?

A. Yes, sir.

Q. How long were they under your guidance ?

A. I think about four months, as well as I can recollect.

Q. Were they first employed as surplus ?

A. Yes, sir.

Q. How long was it before either of them was advanced to be a regular attendant ?

A. Well, one of them never was, and the other one was about a month.

Q. One is Mrs. Coulter ; do you mean her ?

A. Yes, sir ; she was in the ward, about the dining-room about a month.

Q. Miss Kate Coulter ?

A. She was never in charge of the patients at all, only for a few hours.

Q. You may state now whether they were efficient and competent persons in the discharge of their duties.

A. Well, I didn't consider them so. I thought they were inefficient, and general disturbers among the attendants.

By Mr Graham :

Q. You regard them as disposed to make trouble ?

A. Yes, sir ; that was the way I regarded them.

By Mr McKenna :

Q. Do you know of them criticising the medical treatment of the patients ?

A. I don't know of that personally, but I have heard of it.

Q. You may state if you know Mrs. Alexander.

A. Yes, sir.

Q. How long has she been with you ?

A. Well, she has been here, I think, near three years.

Q. Have you made a close observation of the manner in which she discharges her duty towards the patients ?

A. Yes, sir.

Q. You say she has your instructions in reference to treating them kindly and humanely ?

A. Yes, sir ; she has followed them very well.

Q. Do you remember Miss McCaslin?

A. Yes, sir.

Q. She was for how long under you?

A. She was not here very long—probably five or six months; I don't remember the time exactly; I think it was about that long.

Q. From her disposition and manner, as far as you could observe, what was she disposed to be—rough in her treatment?

A. I don't think she was.

Q. What is her disposition?

A. She was disposed to treat the patients very well, so far as I know.

Q. You have read the testimony of Miss Coulter regarding the treatment of certain patients by these attendants?

A. Yes, sir; I read that.

Q. Do you think it could take place in those wards without your hearing of it?

A. I think I would hear of it, or find some evidence of it in some way.

Q. Did you ever hear this story about the scalding or bathing Miss Seltzer in a hot bath?

A. I never heard of it until their statement in the paper; that was the first intimation I had about that.

Q. Did you ever know Miss McCaslin striking or injuring patients with keys?

A. No, sir; I never did.

Q. Or Miss Alexander using a strap on any of them?

A. No, sir; I never knew that.

Q. Did you ever see any mark of abuse?

A. No, sir; I didn't see any marks.

Q. Has force to be used occasionally to make the patients obey?

A. Yes, sir; sometimes patients require considerable force to make them do anything that you want them to.

Q. Is Miss Seltzer one of those?

A. Well, yes, sir; she is at times.

Q. You may state generally how the insane patients regard the attendants—as friends or otherwise?

A. Well, a number regard them as enemies, and some as friends.

Q. Some, by your kindness, you have persuaded to regard you friendly?

A. Yes, sir; others seem to regard them as enemies.

Q. Those who regard them as enemies view all your attentions with distrust and suspicion?

A. Yes, sir; they do.

By Mr. McNeill:

Q. You read about these charges of abuse—would the patient be likely to make complaint to you if these things took place?

A. Yes, sir; I think they would.

Q. You knew nothing of this?

A. No, sir; I never heard nothing about it. This that is called abuse we call just force—necessary treatment to protect their lives and the lives of others. That is what I call it, but it seems that the Coulters call it abuse.

Q. Did the patients think it was abuse, some of them?

A. I never heard any of them say so.

Q. Likely you would have heard of it if it was so?

A. I think the most of them would be complaining of it, although some of the patients do complain of abuse without any cause; some patients do.

Q. If anybody would know of abuse you would likely know of it ; you would be more likely to hear of it than anybody else ?

A. I would be likely to hear it, I think.

By Mr. McKenna :

Q. You may state, Miss Hope, if you knew Miss Clara Coleman.

A. Yes, sir ; I knew her.

Q. How long was she under you ?

A. I don't know as I could tell you that.

Q. From your observation, what was her manner of treating the patients, rough or kind ?

A. No, I never saw her treat them roughly ; I thought she was firm ; I don't think she was rough ; but I never saw her hurt a patient.

Q. Did you ever hear of her abusing a patient ?

A. No, sir ; except from one party.

Q. Who ? Miss Coulter ?

A. Yes, sir.

Q. Just tell us what you know about that.

A. Well, I don't know that I can tell you much about that. It should have happened when they were putting some one to bed.

Q. Well, tell us all about it.

A. She was allowed to help to do it—about Miss Coleman abusing her ?

Q. Yes, ma'am, I am asking you. You say you never saw her ill-treat any person. I ask you if you ever heard of her maltreating the patients ?

A. Yes, sir ; I think I have.

Q. Go on, if you can recall the circumstance ; what did you hear ?

A. Well, I have not heard anything except this, that they reported that she was putting her in a hot bath. That is all I heard.

Q. You heard that from the testimony published the other day ?

A. Yes, sir ; that is all.

Q. You did not hear it before ?

A. No, sir ; I didn't hear it before.

Q. You never saw any scalds or burns on the patients ?

A. No, sir.

Q. Do you know Katy Lavery ? Did you ever know or hear of her being dragged along by the hair by Miss Coleman and Miss Alexander ?

A. No, sir ; I never heard that.

Q. Do you think that could be so without you knowing it ?

A. No, sir ; I think I would have heard it. Some one would surely have told me.

Q. Did you ever know of Miss Alexander sitting down on a patient as a punishment ?

A. No, sir ; I don't know that.

Q. What would you say, Miss Hope, about the treatment of Katy Fondolier, a lady who died in the institution ?

A. Well, she was well-treated, so far as I know.

Q. Was she sick for awhile ?

A. No, sir ; she was not ; never taken sick ; she died very suddenly.

Q. Do you know if she had escaped ?

A. Yes, sir ; she escaped twice.

Q. Why was it necessary for her to be confined to her room for a while ?

A. Why, she was confined there to keep her from escaping ; but I suppose—

Q. Do you know how ?

A. Yes, sir.

Q. How ?

A. She went down the dust chute.

Q. Do you know, Miss Hope, of any patient suffering from neglect of the attendants in any way during your experience?

A. No, sir; I don't know of it.

By Mr. Graham:

Q. What were your instructions to the attendants at night as to their waiting upon patients when called?

A. Well, my instructions are if they hear a noise in the night—a disturbance—to get up and see what it is, and look after them; that is when they are well; but if they are sick we have some one to sit up and watch them.

Q. Do the attendants keep their doors open at night for the purpose of hearing?

A. No, sir; they don't keep their doors open.

Q. The attendants don't?

A. No, sir.

By Mr. McKenna:

Q. Is there any opening above the door?

A. Yes, sir; the attendants, and there is an opening above the patient's door, also.

Q. The attendants sleep in their respective wards?

A. Yes, sir.

Q. Do you know, as a matter of fact, that it is common for them to get up, and respond to the needs of the patients?

A. Oh, yes; they have to get up often.

By Mr. Graham:

Q. They are required to answer the calls of the patients at night?

A. Yes, sir.

By Mr. McKenna:

Q. Is there any denial of water to thirsty patients?

A. No, sir, there is not; they have plenty of water.

Q. Is their desire for water gratified on all occasions?

A. Yes, sir; some patients require a great deal of water.

Q. What precautions are taken to prevent them from interfering with the water coolers?

A. One is that in some of the wards the spring-water is in the bathroom, consequently it would be unsafe to leave the door of the room open; they would over-run the place altogether. In other wards it is in the clothes room, and there are a great many of their clothes there; it wouldn't do to leave the place open, they would flood the place and destroy the clothes if it was left to them to run out and in as they pleased.

Q. Do the attendants and the patients in the female wards eat at the same table?

A. Yes, sir.

Q. Get the same food?

A. Yes, sir.

Q. Do you know of any distinction made in the female wards between patients who are known as public patients and private patients?

A. No, sir; no distinction made.

Q. Do you know yourself the patients that are public patients or private?

A. Some of them I know. Not very many. That is something I don't know much about.

Q. Your attendants, I presume, know nothing about it?

A. No, sir.

By Mr. Hart :

Q. You say that you visit the wards five or six times a day ; what time do you usually make your first visit through the wards ?

A. Generally before six o'clock.

Q. What time do you usually make your last visit ?

A. Why, I make one about nine o'clock, and generally—always when they are sick or difficult—I make one at half past nine to see the difficult ones.

Q. How frequently does Doctor Reed visit the wards when he is——

A. Well, I don't know that I could tell that. He is very often in the wards. I don't know that I could tell how often. I don't pay much attention to that.

Q. Does he attend those who are sick ?

A. Yes, sir ; often. Twice I saw him in last week to a sick woman.

Q. Do the attendants make a report to you direct, or the attending physician, of any change in the condition of a patient ?

A. Well, make it to whoever would come in first. Either to the physician or myself, if there was any change in a sick patient.

By Mr. McNeill :

Q. When you see a change in a patient, do you notify the Doctor soon afterwards ?

A. Yes, sir.

Doctor W. H. DALY, a witness who appeared before the committee, and being duly sworn, testified as follows :

Examination by Mr. McKenna :

Q. Doctor, you are a practicing physician in the city of Pittsburgh ?

A. Yes, sir.

Q. For how long ?

A. Since 1866.

Q. A graduate of what institution ?

A. The University of Michigan.

Q. Doctor, will you state the result of your examination of John W. Carroll, a witness before this investigation, in reference to the fracture of his ribs and internal injuries described by him in his testimony ? Just state all about it, how you came to make the examination, and who was with you.

A. I examined Mr. Carroll in the presence of his brother, Doctor Carroll, and also the committee, and made a very careful examination.

Q. Did the patient describe to you where he had been injured ?

A. I got a description of his injuries, and also from his brother. His brother volunteered a history of his injuries, and specifically pointed out where I might be sure to find certain lesions, and I made a careful examination, but did not discover any evidence of fractured ribs. The floating ribs, where he supposed the injury was located, gave no evidence of ever having sustained any injury. The parts were perfectly normal, and the attachment of the ribs to the spinal column was perfect, and their mobility was perfect, no thickening or lesion, or any other abnormal obstruction. The muscles acted perfectly, nicely, and uniformly in inspiration as he drew in his breath, and in blowing out his breath they acted uniformly and smoothly. There was no evidence of them ever having sustained any injury.

Q. If he had sustained the injuries of the character described to you within a year or two previous to his examination, would it have exhibited itself, or could you have detected it ?

A. I believe I could have detected some lesion there—some lesion of the structure.

Q. Did he describe to you, as a result of his injuries, that a tumor had formed somewhere?

A. His brother and himself called my attention to a hardening or tumor in the region of the iliac bone, or anterior part of the hip-bone. I found what they called my attention to, so far as the hardening was concerned. It was simply the hardening of the muscle. He was a very muscular man.

Q. It was not a tumor at all?

A. No, sir; it was simply a strong tendinous attachment to the hip-bone. It was uniform with the muscle on the opposite side. The same powerful condition of muscular development was equally apparent on both sides. The man was a very powerful and strong man. His muscles were very powerful, and his bones were strong, and physically he was a very good specimen of strength and power.

Q. By no means a cripple, then?

A. Not at all. He was a very powerful man.

Q. Did you observe any manifestations or signs of an injury to the spine?

A. No, sir; the sensations in his extremities appeared to be normal. He had good use of his limbs, and there was nothing abnormal about his physical condition, or his muscular or osseous condition.

Q. You found no tumor under that tenth rib?

A. None at all. There is none there; there is no evidence of there having been one there. There is no question about that at all; it is not present.

Q. Doctor, he made some statement on that occasion—probably you may have seen it in his testimony—about scars on his shoulders.

A. I examined that scar. There is a scar on his shoulder, about two inches in length. Judging from its condition, I should say that that scar has been on his shoulder at least eight years, and I think there is a probability of its being as near eighteen years as eight, and I would be perfectly safe in saying that scar has been on his shoulder for eight years.

Q. On what would you base your opinion?

A. I would base my opinion on this fact: that the cicatrix on a scar, from a cut or lesion of any kind, undergoes a certain history. For a certain period of time it will have a color that is higher than the surrounding tissues—that is to say, it will be redder; after a period of time, that gradually passes away, and a bluish cast comes upon it; and, after some years, there is a process of contraction going on during the time, and the scar assumes a pearly hue. Now, this scar on this man's shoulder not only gives evidence, to my judgment, that it had undergone all these changes, which requires years to undergo, but, more than that, it gives evidence, to my mind, that the man's physical growth had encroached upon it: it was partly obliterated; that obliteration could only come by time and change of physical structure. There is no question in my mind, that scar is at least eight years old—the probability is, much older. There would be no hesitancy, after any person familiar with surgery, in testifying that that scar is at least eight years old.

Q. That, you think, could not have occurred while he was an inmate of Dixmont in 1879?

A. If he was an inmate in 1879, that scar could not have occurred.

Q. Did you inform him of the result of your examination?

A. No, sir; we didn't; there was no occasion for any argument; I didn't make known the results of my observation.

Q. Who assisted you?

A. Doctor Kensey.

By Major Walker :

Q. He didn't assist you?

A. No, sir; he was present; also made an examination afterwards, himself.

By Mr. McKenna :

Q. Had you any conversation with Mr. Carroll to form any opinion about his mental status?

A. Yes, sir; I watched his behavior during the examination, and I watched his behavior pretty closely; and I watched it while giving his testimony; and also watched his behavior at the dinner table; and I saw him afterwards in the office. I held no conversation with him, but just a word, but watched the demeanor of the man.

Q. What would you say about Mr. Carroll?

A. I am free to say that I did not regard him as a sane man.

Q. Have you visited this institution occasionally?

A. Yes, sir.

Q. Have you been in foreign institutions of the same kind?

A. I have not been in institutions abroad that were exclusively for the treatment of insane patients, but I have visited a great many hospitals, and some of them, more than half, had insane patients in.

Q. I wish you would state if you know of ever meeting Doctor Sevin here while an inmate of Dixmont?

A. Yes, sir; Doctor Wylie introduced me to Doctor Sevin while we were passing through the hall on either Christmas or New Year's day, last Christmas or New Year's day.

Q. I wish you would describe the old gentleman's condition.

A. Well, I had a brief conversation with him; I don't know exactly the conversation, but I passed a few commonplace remarks, and asked him as to how he was feeling, if he wasn't pretty comfortable, &c.; the conversation was a commonplace one; he seemed to be on the best of terms, and spoke very highly of Doctor Wylie and the physicians here, and spoke of his comforts and perfectly satisfied he felt.

Q. Was he acquainted with the fact that you was a physician?

A. Oh, yes; Doctor Wylie introduced me as Doctor Daly, of Pittsburgh.

Q. How did he seem—quiet?

A. He was a man of quiet demeanor; he seemed to be happy, neat and clean, very tidy and nice; he was sitting on a chair reading when I went up to him, and he held his paper in his hand while we talked; when I left him he sat down and resumed his paper.

Q. Doctor, if you can, give an opinion, from your visits to the wards, of the treatment of the insane, or an opinion of Dixmont.

A. Well, I have always regarded Dixmont as a model institution of the kind, an institution that the medical profession are very proud of; I think it is one of the best institutions in the country; I think the results of the treatment show that the administration of Dixmont Hospital is a very successful administration.

Q. You have had occasion to send patients here?

A. The first patient I sent here was twelve or fourteen years ago; the man recovered in a shorter time than we expected, and, owing to irregular habits, he relapsed into insanity again; and I believe that the majority of the patients that I have sent to Dixmont have turned out well; the cure has been a rapid one, and satisfactory to the friends and patients.

SAMUEL CALDWELL, a witness who appeared before the committee, and being duly affirmed, testified as follows :

Examination by Mr. McKenna :

Q. Where do you reside ?

A. I reside in Allegheny at the present time.

Q. State if you were formerly connected with Dixmont Hospital.

A. I was connected with Dixmont Hospital for almost twenty years, as supervisor.

Q. Of the male department ?

A. Of the male department.

Q. When did you sever your connection with it ?

A. Last August.

Q. I wish you would state, from your opportunities for observing, what the instructions of the supervisor to the attendants were in reference to the treatment of patients, and the duties of the supervisor.

A. Well, my duties were to take a general supervision of the wards, as well as a general supervision of the work in the house; my work was not finished in the wards by no means; in the male department I had the painting, frescoing, and cleaning of the house, giving out the stores, all such things as that.

Q. As well as charge of the attendants ?

A. Yes, sir; as well as charge of the wards; one of the principal parts of my duties was to hire the attendants, subject to Doctor Reed's orders, and instruct the attendants and look after them—to instruct them.

Q. Just state what those instructions were.

A. Those instructions were, of course, always for all to treat all patients with the best and most kind treatment; the instructions were of such a nature, of course, as to preclude the possibility of any ill-treatment.

Q. Were the instructions enforced, Mr. Caldwell ?

A. Yes, sir; they were enforced, invariably.

Q. How ?

A. Well, if an attendant—in the first place the rules of this institution, the rules and regulations, always discriminate in favor of the patients and not in favor of the employés or officers; all is especially for the welfare and protection of the patients; when those patients are abused, where encounters take place in the wards between the patients, and the attendants happen in any way to injure the patient, either willfully or accidentally, or even in self-defense, are invariably discharged if that patient is injured; that is the universal rule, and I have followed it—carried it out.

Q. There have been discharges for that ?

A. Yes, sir.

Q. Mr. Caldwell, did you know Doctor Sevin ?

A. Yes, sir; very well, indeed.

Q. Do you remember when he arrived ?

A. Yes, sir.

Q. What was his condition when he arrived—do you remember ?

A. Well, he was a very insane man; I don't undertake to say exactly what was the matter with him, or to diagnose his case. I would say that he was a religious monomaniac, with a tendency to suicide.

Q. Did you read his testimony in this case ?

A. Yes, sir; I did.

Q. I wish you would state, Mr. Caldwell, if, under the circumstances attending his admission here and the frame of mind in which he was for some time feeling, if he could possibly have recollected as clearly as he undertook to narrate the circumstances.

A. I don't think he could have recollected it, his condition of mind, or his mental condition was not—in my opinion it wouldn't be possible for him to recollect the circumstances as it occurred.

Q. You say he had a suicidal tendency?

A. He had.

Q. Did he ever endeavor to carry it out?

A. Yes, sir; he did.

Q. Just describe how, and how often.

A. Well, he became very much excited, and he was removed from the ward he was in to another ward where they thought they could attend to him better, and take better care of him, better appliance, &c., and put him into a room where there was shutters, to keep him there with them closed if necessary; we seen he had a positive suicidal tendency—a room where there was shutters, sliding shutters; where he could not get to the glass—and he got a nail out of the wall—a picture nail—and attempted to run it in his brain, and this I discovered one morning when I believe actually he was just about accomplishing his purpose: I believe he owes his life to us then. Then it was necessary for us to keep him confined to the bed with what we call a strait-jacket. A strait-jacket is put on and the hands confined in this shape, [describing,] and a person confined to bed so that they can't get up and injure themselves; it is not necessarily painful in any way—a person could lay that way for a week without suffering and pain. It is often necessary to detain them in this way to prevent them from injuring themselves. This he has described as very bad treatment; it no doubt was bad treatment if he wished to commit suicide.

By Mr. Walker:

Q. When was this?

A. Well, I can't recollect the date.

Q. I mean how long ago—how many years ago?

A. I should think that must have been five years ago, or from five to seven years ago.

Q. Some time soon after admission?

A. Well, it was not immediately after it.

By Mr. McKenna:

Q. You may state if Doctor Sevin improved after that.

A. Yes, sir, he improved very much indeed; when he got better and this tendency had entirely left him, he was removed into the best ward in the house, and given one of the best rooms—that is our second ward—assigned one of the very best rooms in the place; given every comfort a man could possibly wish in an institution like this or any other.

Q. You can state if he was comfortable and satisfied.

A. Yes, sir; he often expressed himself so to me.

Q. On account of his age, Mr. Caldwell, and his advanced years and respectability, how did you and the other persons connected with the ward especially regard Doctor Sevin?

A. We regarded him very kindly, because he was one of those harmless insane kind of men. He was very fastidious in his ways with regard to dress, he must have everything very particularly, and we used every effort in supplying his wants and affording him those little articles to make him comfortable.

Q. Was Frank Bogue one of the attendants under you?

A. Yes, sir.

Q. Do you remember the testimony of Doctor Sevin where he described some maltreatment—being dragged along the floor by Frank Bogue?

A. I remember of reading it—I think I do.

Q. Do you remember any such occurrence at all?

A. I do not; that was the first I ever heard of it—his testimony in the newspapers.

Q. I wish you would describe how, and what kind of a man Mr. Bogue is, and his treatment of patients—is he a rough, harsh man or the other way?

A. I will just say Mr. Bogue has been here for an attendant for, I presume, eight or ten years altogether, and he has been very scrupulous and particularly exact, and cleanly and efficacious in all his ways, so much so that he has been assigned a very good ward because he keeps it in excellent condition and is considered a first-class nurse. We very frequently put men in there that require extra care.

Q. You have hardly answered my question—his manners towards the patients—are they rough or kind?

A. His manner is universally kind and attentive.

Q. Is it the man's disposition?

A. The man's disposition; I should say particularly so.

Q. Could such a thing have occurred in that ward—such abuse of Doctor Sevin—without you or others knowing it?

A. I don't see how it could have occurred from the fact I have recourse to the testimony of patients and the testimony of other attendants, and very frequently there is jealousy between the attendants, and one will unconceal the faults of the others. In that way you can generally arrive at the truth.

Q. Wouldn't the patients also take an interest in complaining?

A. Yes, sir; there are patients you can rely on to some extent for information, and I frequently had recourse to those.

Q. Do you remember at any time that Doctor Sevin was so far gone as to defile his person and his hair?

A. Yes, sir.

Q. Just describe that.

A. I remember at this time that I speak of that he was so entirely demented, and appeared so disregardless of any propriety whatever, that he would besmear himself in any way with dirt.

Q. Where would that be—in the water-closet?

A. Yes, sir; and in his room, in his bed.

Q. Doctor Sevin complained that his trunk was taken from his room—his box—do you know anything about a difficulty of that kind?

A. Well, the rules with regard to that is this: That the trunks are all kept in the front room. There is a wardrobe in each ward with the clothing of each patient. Such as is necessary is placed in the ward, but that is not their general clothing. That is down stairs on the first floor, and then it is served out to the patients just as they need it. Doctor Sevin being an old gentleman, and fastidious in his ways, I almost superseded the rules to accommodate him in this respect, for he requested me to leave a little box that he could put a little clothes in—clothes and rags and one thing and another. I should rather go back a little. He had a running issue on his foot or leg. He had that for many years. He always doctored that up, and tied it up. For this he requested me to allow this little box to remain, so that he could put the clothes in for that purpose, and I permitted him to keep it in the room with him. Then he was sent other clothing from home in paper boxes, which would be marked, and taken up to his room, and given to him, and he requested to keep the box. But one time I let him keep one of those paper boxes just to accomodate him, and keep him from complaining. And this complaint that he makes regarding

his trunk not being left in the room is, of course, altogether contrary to the rules of the institution. It would not do at all to leave a trunk in the room, or the clothing. The patients are required to leave their clothing in the hall over night, and the attendants are required to see that their clothes are all placed outside of the door of the room.

Q. Why is that?

A. The reason why? If they should get up, and get out of the window, they would have no clothes to make their escape. We have been very particular in that case, but in his case there was no danger of his making his escape, and we gave him this extra accommodation. Anything that he wanted we gave to him—what he wanted, and as he wanted it.

Q. Then, do we understand, up to the time you left the institution he was treated as a favorite, and with kindness and attention?

A. He was treated rather as a favorite. He received the same treatment as others, but these little favors on account of his natural disposition, &c.

Q. Mr. Caldwell, do you remember a very large, muscular patient that was admitted here, by the name of Hopkins?

A. Yes, sir; very well.

Q. You may describe to the committee his advent here as you remember it.

A. Well, Mr. Hopkins came here a very excitable patient, and a very dangerous one, and a very powerful one into the bargain, for it took two or three men to do anything with him in those paroxysms. He had, to be sure, some little scuffles with the attendants, because it is impossible to prevent those things. No human foresight can prevent it. The attendants will have little collisions with the patients, and sometimes get hurt, and sometimes, though rarely, hurt the patients a little, but it will be purely in self-defense. They had a little scrimmage of this kind once or twice, and were compelled to put the muffs on to secure Mr. Hopkins to the bed for the time being.

Q. This scuffle with Hopkins that you describe—do you know of the attendants being the aggressors?

A. No, sir; never, in a single instance; only when he attacked them. There was no one attacked him only when he attacked himself.

Q. The scuffles you speak of would come from attempts to restrain the patient?

A. Yes, sir.

Q. Did you know or hear of, in these scuffles, of Mr. Hopkins getting his ribs broken, or being kicked about the ribs?

A. Well, I knew of little altercations that took place, and collisions, or whatever you may call them, and I knew that Mr. Hopkins said he had his ribs broken, but I don't know of them being broken. There was a medical examination made in the case. It did not indicate that there was any broken ribs.

Q. You saw no signs of it yourself?

A. No, sir; I saw no signs of it; and when a man can get up and walk and work, and tear around two or three days after this thing was said to have occurred, it is not very bad.

Q. How many attendants would it take to control Mr. Hopkins?

A. It would take at least three.

Q. Required that many when he had one of these electric spasms?

A. Yes, sir; take three or four attendants to put the strait-jacket on.

Q. Did you ever assist in those gymnastics?

A. I have assisted in his case.

Q. Now, in any treatment which Mr. Hopkins received during the whole

time that he was here, would you say that there was no more force used towards him than was absolutely necessary?

A. I would not, positively.

Q. Do you know of him being struck and abused in malice?

A. I don't know of him being abused, or kicked, or struck in any way, and no more force used than was necessary to restrain his violence, and keep him from injuring himself and others.

Q. Did he have medical attendance while here?

A. Yes, sir.

Q. What doctors?

A. Doctor Wylie and Doctor Reed, frequently, I think, saw him.

Q. Do you remember when he left the institution?

A. Yes, sir.

Q. Was he a cured man in your judgment?

A. Well, physically, he was a well man, but mentally, he was very unwell, in my opinion.

Q. Do you remember the arrival of John W. Carroll?

A. Yes, sir; I don't remember exactly the arrival, I don't know whether I was accidentally or providentially away at that time.

Q. Just tell us what you know about Mr. Carroll's treatment here.

A. Well, I know that, that he was put—that is, I heard this from the doctor and the attendants, that he was first placed in the first ward, and whilst bathing him, he became excited, and had an altercation in there, and he was taken from that to the eighth ward, and a strait-jacket was put on him and he was put in a room—he was very violent—terribly violent; and he remained there during that night—the next morning the attendants, when I went around, I told them to be very careful with Mr. Carroll, because he was a very violent patient, and to take the strait-jacket off, and to give him a bath, and if there was any particular trouble to come immediately for me. They attempted to bathe him, and he became excited, and they hadn't time to come for me, for he made a furious attack on them; the attendants were two of the very largest men in the ward; they laughingly told me that he had them both down at once, that they had a terrible melée with him, and they were compelled, of course, to throw him down and put the jacket on, and I have no doubt that he exerted himself so much that he felt very sore, and perhaps had some little surface bruises.

Q. Do you remember if during the night he worked the strait-jacket off?

A. During the night he worked it off, and in the morning there was a pair of sleeves put on his hands to keep him from striking.

Q. Do you know if he was furnished with a bed the first night that he was here or not?

A. No, sir.

Q. You say you was away?

A. I was away that evening.

Q. Do you know when you came back if he had a bed in his room?

A. Yes, sir; he had a bed in his room.

Q. I mean by that a bedstead?

A. A bedstead; that is what we call low bedsteads had been in the room, but in dangerous cases like his was, happen around, we take the bed out and leave the mattresses, put the mattress so that they can't be injured by it.

Q. Was Mr. Carroll pretty violent still at times, subsequently?

A. Very violent, indeed; and after this altercation, that he claimed he got hurt in, I happened around immediately after that, and Mr. Carroll

was on the floor, with his head stuck in the corner of the room. I tried to talk to him and gain his attention, and he refused, at first; I then raised him up in a sitting position and continued the conversation with him, and finally I asked him if he had any children, after trying several methods to induce him to speak, and finally thought I could draw him out in this manner. I asked him if he had any children: Yes, he said, he had, and began to cry and said, "I shall die," he says, "I shall die;" says I, "I am very sorry, indeed, to find you in this condition; if you will just promise me that you will not try to kill us folks, and injure us, I will have this taken off and have you put in a nice room." Well, he said he didn't want to hurt any person. I then told the attendants to take the muffs off him and give him a bath; he remained quiet, and then put on a nice little strait-jacket to keep him from injuring himself. I gave him a front room and a good bed; took him into the room and he sat down, or rather laid, and I conversed with him, I suppose, for an hour.

By Mr. McNeill:

Q. Did he show a disposition, after he supposed himself to have been conquered, to submit?

A. Oh, yes; we never had any further trouble with him after that time; in about three or four days he came to me and asked me if I would not remove him to a quiet ward; I told him, "Most certainly," and I told him to follow me right along, and I took him to one of the best wards in the house, and we never had any trouble after that. Says I, "Mr. Carroll, do you think you can get along and behave yourself in there?" Said he, "Haven't I been behaving myself?" I said "Yes, since your first paroxysm of excitement; you just continue to do so."

By Mr. Hart:

Q. Do you think he was in a condition to remember what he was doing?

A. Not at first; not until the third or fourth day.

Q. Prior to that he was quite demented?

A. Yes, sir.

By Mr. McKenna:

Q. You never saw any of his hair and whiskers pulled out?

A. I never did; that was news to me.

Q. I wish you would state if Samuel Pershing, Conrad Nennstiel, and Jacob Dinkel, were they all here under your administration?

A. Yes, sir.

Q. I wish you would state what you know about their treatment.

A. Well, their treatment has been, in my opinion, invariably good and kind; I don't see how it could have been any better.

Q. Could you say whether those three men were insane during the time you were here?

A. Yes, sir; they most certainly were insane.

Q. Mr. Caldwell, have you any recollection of the circumstances attending the death of Gustave Thumm, an insane inmate here?

A. Well, I have not a very distinct recollection; it was with an effort I could recollect the man and the circumstances connected with it, but I succeeded in recalling it somewhat. I remember the patient, and I remember him being a very excitable man—having a little collision at one time with an attendant. I found that the matter amounted to nothing but just a little altercation that took place. He was subject to fits. He was found not to be a suitable patient for such a quiet ward and was taken to another ward and placed under the care of an attendant and remained there as long as he lived—how long after that I can't say; I don't remember distinctly.

Q. You never heard of any ill-treatment or abuse of him ?

A. No, sir ; I didn't.

By Mr. Hart :

Q. I understand you to say that Mr. Hopkins was examined for the alleged broken ribs ?

A. Yes, sir.

Q. By whom was he examined ?

A. By Docter Wylie.

Q. Shortly after the alleged occurrence ?

A. Yes, sir.

Q. Shortly after he made complaint to you ?

A. Yes, sir.

By Major Walker :

Q. I want to ask you in general terms, Mr. Caldwell, whether patients could receive any maltreatment from the attendants without your knowledge ?

A. Well, I suppose it would be possible.

Q. You are not ubiquitous, are you ?

A. No, sir ; I am not at all, or omniseient.

Q. Consequently, they could receive it without your knowledge ?

A. Yes, sir ; they could.

Q. I desire to ask you one or two questions in reference to Docter Sevin. You have a distinct recollection of when Docter Sevin came here ?

A. Yes, sir.

Q. Do you mean the time that he was admitted here ?

A. Yes, sir ; the time that he was admitted.

Q. Have you any recollection of his coming here prior to the time of his admission ?

A. I have ; I remember that he was here previous to the time that he was admitted, and if I remember distinctly, there was something wrong with the form of the admission and he had to be taken back.

Q. Mr. Caldwell, have you a distinct recollection—of course your information comes from the newspapers in regard to Docter Sevin's testimony ?

A. Yes, sir.

Q. Have you a distinct recollection what he testified to in reference to Mr. Bogue, and if so, be kind enough to state what it was.

A. I think that he testified that Bogue had choked him and abused him in some manner.

Q. Have you any recollection as to what he testified to ?

A. I have no recollection of that occurrence whatever.

Q. I think you testified, in answer to Mr. McKenna, that you remembered what the testimony was.

A. I meant I remembered what Docter Sevin had stated.

Q. That is what I am speaking of ; what did Docter Sevin state in reference to the treatment of Mr. Bogue ?

A. I think that Mr. Bogue had choked him and put his knee on his breast, and had pressed him down.

Q. You recollect of his saying that, do you, Mr. Caldwell ?

A. Well, he said that he put on the muffs and tied him in bed ; I could not say positively.

By Mr. McKenna :

Q. You have no business nor in any way connected with this hospital ?

A. No, sir.

By Mr. McNeill ;

Q. What is your opinion of Doctor Sevin's state of mind all the time he was here?

A. Oh, I am undoubtedly of the opinion that he was an insane man; he was a monomaniac. I would call him, on religion, and very suspicious.

Q. What is your recollection of his monomania on religious subjects?

A. Well, he was constantly reading the Bible and talking on religious subjects; he would recur to that on every occasion.

Q. Do you recollect whether the literature he had was in the English or German language?

A. It was partly in both; he had German books and also a number of English.

Q. Have you a distinct recollection of his having any Bible here?

A. He had a German Bible and an English Bible, both; one of my particular duties was to serve the wards with reading matter. Being a member of the Bible society I procured fifty copies, and served one into each ward.

Q. Did you observe him reading it?

A. Yes, sir.

Q. What particular form did it take—what was his peculiarity with regard to religious views?

A. Well, his peculiarity was that he was—I should say too much impressed on religious matters, and it became a perfect hobby to him in every particular, and would read nothing else. He told me he relished nothing else but religious works.

Q. Did you consider him an infidel?

A. No, sir; I considered him a christian in that respect.

Q. He is not an atheist, either?

A. No, sir.

Q. You consider him a christian man?

A. Yes, sir.

Q. Was there a Bible to each of the wards?

A. Yes, sir.

Q. There are Bibles in each of the wards?

A. Yes, sir.

By Mr. McKenna:

Q. Did you notice a tendency by Doctor Sevin to believe the stories of insane men, no matter what they were?

A. Oh, yes.

Q. Was he easily deceived by them?

A. He was very easily deceived, indeed.

Q. Did you ever know, during the time you were here, of the detention of sixty or any other number of sane patients?

A. Being kept here?

Q. Yes, sir.

A. I don't know of a single instance, to the best of my knowledge, in which there was a sane patient kept here.

By Mr. McNeill:

Q. You have known of many being discharged here when they got convalescent?

A. Yes, sir.

Q. Do you consider many finally cured?

A. Well, yes; there were a good many permanently cured, and some not so well.

By Major Walker:

Q. You seem to recollect very well that Dr. Sevin was often deceived by

patients in reference to some special matter that was before them. Can you recall to your recollection any one particular thing?

A. Yes, sir; he said that Mr. Pershing was a sane man; also, James McMasters—that they were sane, and he believed them, whilst I believed them two of the most insane persons in the institution.

Q. Would that be a deception practiced on him by some one else—wouldn't he see that himself, and form his own conclusions?

A. Yes, sir.

Q. I am asking you in what way was he deceived—patients telling what was not true?

A. He was deceived, no doubt, as well by their actions as well as by their words.

Q. You say by words, of course implication of Mr. McKenna's question to you, the patients had told him certain things by which he was deceived, you said that was true. Now I ask you the question, what patient ever told him anything in which he was deceived?

A. Well, I considered the story that he told what Mr. McMasters had told him—I thought he was very much deceived about that.

Q. What was that?

A. About the abuse of patients.

Q. That McMasters had told him?

A. Yes, sir; he stated that he was told by McMasters.

By Mr. McKenna:

Q. Will you state about the character and quantity of food that they furnish the patients and attendants?

A. Yes, sir; I would say just this, that the food that is furnished the patients of this institution is most excellent, and do think that if ever there was a set of patients and men well cared for, it is the inmates of this institution in this respect, both with regard to food and clothing; a poor laboring man that goes out with his little bucket and cold lunch, and eats it out on the cold ground—eats it in the cold, is not treated like the patients of this institution; they have warm food, warm clothes, and comfortable beds, and are treated exceptionally well.

FRANK BOGUE, a witness who appeared before the committee, and being first duly sworn, testified as follows:

By Mr. McKenna:

Q. Mr. Bogue, are you an attendant in the male department of this institution?

A. Yes, sir.

Q. How long have you been so employed?

A. About nine years—a little over nine years.

Q. Have you been promoted from other wards to your present position?

A. No; the fifth ward is one of the best wards in the male department; I came in there first.

Q. You say it is regarded as promotion from the first ward you served in?

A. Yes, sir; I came into the fifth ward, and remained in it since; it is considered one of the best wards in the house.

Q. Did you know Doctor Sevin—inmate of this institution?

A. Yes, sir; I did know Doctor Sevin very well.

Q. Was he under your care?

A. He was, for some time.

Q. Soon after his admission?

A. Yes, sir.

Q. Just state now, Mr. Bogue, to the committee here what his condition of mind was, soon after his admission, while he was under your charge.

A. Well, when he came into the ward first he appeared very demented, wild, walked up and down around a long while. I walked with him—sitting and talking to other patients. I thought he was very insane. I walked along with him around about until he would see all through, and I saw he appeared very feeble.

Q. He was feeble, you say?

A. Yes, sir.

Q. You may state, Mr. Bogue, if he had any tendency to injure himself.

A. The first night I put him opposite the room I occupy in the ward, or one right opposite to the bed, and looking at him. I set up a good while, because he was very restless and appeared very insane, and I got him to retire, of course, at bed time, and after I thought he was quiet and asleep I retired also; I left my room door open so I could hear any noise in the ward; well, in the morning about three o'clock—it was warm weather—I heard him making a great noise and carrying on a good deal, and he commenced to pound the door.

Q. Was that the first morning?

A. The first morning after his admission to the ward—immediately I opened the door—

Q. He was violent?

A. Well, he was not offensive toward me in any way; he was beating the door and looking around wild; I began talking to him, and sat down along the bed, and got him dressed and took him down to the bath-room before the other men—and washed.

Q. This morning he was beating at the door?

A. Yes, sir; beating at the door, raving, wild, and talking in a loud tone; then when I spoke to him he replied in broken English, of course.

Q. What did he say?

A. He said, "Help me, help me."

Q. Was anybody doing anything to him then to cause him to cry out?

A. Not a person in the world; he didn't know what he was doing; he appeared wild as though something was wrong. I took him to the wash-room, washed his face and combed his hair, and told him he was a good old gentleman, and we would soon get him better, and he said, "Thank you."

Q. He was very grateful?

A. Yes, sir, and brought him back to his room, and he stopped awhile, and then he got up and went down, and the other men were washed, and I stood by him, and at breakfast he ate very little breakfast, and then I went down the ward, and the first thing I heard he had four or five lights smashed out with his chamber, and he called out, "Help me," "help me," and, of course, I came up and took the chamber from him and took him away.

Q. Do I understand you to say that he smashed the window with his chamber?

A. He smashed five lights with his chamber.

By Major Walker:

Q. Did he break the chamber?

A. He didn't; it was a tin chamber. I put in tin ones for fear that new men might hurt themselves with heavy queensware.

By Mr. McKenna:

Q. He was crying for help?

A. Yes, sir ; I went to him, and he said, "I want to make me dead—must do it," and he would repeat it.

Q. How long did that conduct last that he wanted to make him dead ?

A. I couldn't say exactly. We then had occasion to remove him to another room, where we could draw the shutters to, where he could not get at the windows ; we put him there. While he was very wild and excited, I staid by him most of the time, and took him out and in the hall, and was always very friendly, trying to keep him quiet, flatter him, and so on.

Q. You say he was very friendly and quiet to you ?

A. Yes, sir ; never said a word.

Q. Never made any resistance ?

A. Not a bit.

Q. Did you read Doctor Sevin's testimony about it ?

A. Yes, sir ; I did, and I was astonished when I read it.

Q. Why ?

A. Because he said he was pushed down and abused, if the testimony was correctly reported.

Q. You read it in the newspapers ?

A. Yes, sir ; I could hardly believe it.

Q. That is where he implicated you in abusing him ?

A. Yes, sir, while the abuse never occurred, neither the beating or otherwise, or even a harsh word.

Q. Nothing of that kind occurred ?

A. Nothing of that kind occurred.

Q. You may state to this committee, Mr. Bogue, whether at any time Doctor Sevin was so far gone as to defile himself with human excrement ?

A. Yes, sir ; he did. A while I could not trust him to go any place without accompanying him, and I accompanied him when he requested to go to the closet and immediately ; after a little bit he just commenced to rub the excrement over his head ; of course, I stopped him, and said : "Oh, Doctor, what are you doing that for ?" He said : "I must do it, I must do it." Then, of course, I said nothing at all.

Q. Did you take him away from the water-closet ?

A. Yes, sir ; after a little while I took him away. I held one of his hands.

Q. Why did you take him away ?

A. To have him washed.

Q. Did it require any violence on your part ?

A. Not the least. He was as easily managed as a child, so far as I am concerned. There was no resistance—not a bit. We were obliged to put a light, easy jacket on him then, one of those they put the hands in, so that they can have room to turn around.

Q. The mufflers ?

A. I call it an easy jacket.

Q. What was that for ?

A. To keep him from breaking the glass another time ; he became quiet in a few days. The weather was warm, and he was lying in bed sleeping, and I heard a noise, and one of the men came in and said the doctor is breaking the glass. I ran up, and he had a number of lights broken, and also had gathered up a handful of this broken glass, and was putting it in his mouth.

Q. Of this broken glass ?

A. Yes, sir.

Q. Was putting it in his mouth ?

A. Yes, sir ; and his wrist was bleeding also.

Q. Did it bleed some ?

A. Yes, sir.

Q. Did he cut it himself ?

A. I don't know how ; he cut it himself ; it was cut when I came in.

Q. Was this the second time that he broke glass ?

A. Yes, sir.

Q. Was it ever necessary, in his case, to restrain him on the bed ?

A. Yes, sir, it was, for the reason, after we put this little jacket on it was very easy, would not annoy his arms, was not tight in any way. He was very easily restrained. He had that about two days—very near two days—and he commenced to get his head against the bed. Well, I let him up all the time I could, and walked about, and so on ; and one day he was sitting quietly—I was sitting very near him—and he said, “ I must do it,” and he just hit one dash of his poor head against the wall.

Q. Did he say he wanted to die ?

A. He said he must “ make himself dead.”

Q. That was his expression to you ?

A. That was his expression to me.

Q. Do you remember whether he wanted to starve himself ?

A. Yes, sir.

Q. He had to be fed ?

A. Yes, sir.

Q. With what ?

A. Tube.

Q. Was that under your attendance ?

A. Yes, sir.

Q. He was in that ward at that time ?

A. Yes, sir.

Q. What doctor was there ?

A. Doctor Hengst. It is long ago, but I remember it distinctly. He was a peculiar man ; he acted so strangely, I have a better recollection of him than any other man that was in the ward ; a clearer recollection, he being here so many years, and seeing him so frequently. Sometimes I would see him every day for a month, because sometimes I had occasion to pass through the second ward, and he would always speak very friendly.

Q. You may state what your treatment was, and that of the attendants.

A. As good as could be, I thought. I thought he was contented after he became quieter and quit those wild actions.

Q. Did you ever talk to him ?

A. Yes, sir ; I thought he was partially insane ; I was always afraid of him breaking off again ; breaking off into wildness again like that he was at first.

Q. You may state, Mr. Bogue, in conclusion, what was the instructions given to you. You have been acting as an attendant ; what instructions were given to you, and required of you, in the treatment of the patients of this institution ?

A. Proper instructions to keep in the hall and look after them in every way, that none of them would get abused, and that I must not raise my hand to any of them on any account whatever. If they became very violent, I was to run and take them in my arms, and get help, and put them into a room until they would get quiet ; that was the general way we managed.

Q. Do you know of any punishment being inflicted ?

A. Never no punishment, and I am surprised to read such stories, because it would not be tolerated here a moment. The doctors are very fre-

quent in their visits and rigid in their examinations, and it would not be tolerated a moment.

Q. Do they hold them to strict accountability?

A. Very strict.

Q. Are the attendants often up at night?

A. Frequently called in the night.

Q. What is the rule when you hear a noise or a cry?

A. To jump up, and see what is the matter. Sometimes they believe they are fighting some person in the cell, and pounding the walls with their fists.

Q. If you discover anything wrong or unusual with the patients, what do you do—if they are sick or anything of that kind?

A. Stay up with them, and have a light, and give them drinks.

Q. Suppose they require medical treatment in the night?

A. Why, we have medicines there, and instructions to give them every three hours or so.

Q. Is the doctor ever called at night?

A. Frequently. There is no night when there is a sick man that the doctor does not pay at least one visit, and sometimes twice, from twelve to two, many an hour, and sometimes every half hour. We don't know the moments he is coming. We must not even have them wet in bed, but clean and comfortable. There is not only every condition to see that they are comfortable, but we have plenty of appliances, clothing, and so on, particularly to make them clean and comfortable.

Q. What do you attribute Doctor Sevin's stories of your ill-treatment and punishment while in that ward to?

A. I believe from what I heard and learned, and heard from the patients—I don't like to speak of things I heard, but I only speak of things I know, and am really certain of—a number of men gets around him, and they are weak-minded men, and they tell him stories of abuses and so on to increase the creature. He is just jerked around, and don't know anything himself, and believes it, and, perhaps—he believes anything that is told, and he believes he is very much abused. He is childish.

FRANK PETERSON, a witness who appeared before the committee, and being duly sworn, testified as follows:

Examination by Mr. McKenna:

Q. You represent the house of Charles Richardson?

A. Yes, sir.

Q. Where does Mr. Richardson carry on business?

A. Well, No. 73 Diamond Market, Pittsburgh—the meat market.

Q. How are you connected with him, Mr. Peterson?

A. I have been in his employ for eight years.

Q. You handle the meat?

A. Yes, sir.

Q. Do you know the kind of meat that has been supplied by Mr. Richardson to Dixmont Hospital since he has had the contracts?

A. Yes, sir.

Q. Just state what you know of it—describe it—how it is furnished, what is required, how it is ordered, and so forth.

A. Well, in the first place, it is required to deliver nothing else but the very best, and the meat is sent here every morning fresh cut, on the first trains, in order to get it here fresh.

By Major Walker:

Q. Is it round or tenderloin?

A. That depends a good deal on the order ; if it requires round or tenderloin, it is the very best of the kind.

By Mr. McKenna :

Q. Did you ever know, Mr. Peterson, of any tainted meat being sent here and supplied by Mr. Richardson ?

A. Never, to my knowledge.

Q. How long has Mr. Richardson and his family been in the meat business in Allegheny City ?

A. Well, the firm—I could not tell you that—that is further on ; I think Mr. Graham knows pretty near how long.

Q. Does Mr. Richardson furnish other institutions ?

A. Yes, sir ; he has the penitentiary, the Allegheny County Workhouse, and we are furnishing now the West Penn Hospital.

Q. Your order and requirement is for first-class articles ?

A. Yes, sir.

Q. That order has been complied with ?

A. Yes, sir.

Q. You know that, personally ?

A. Yes, sir ; I know that, personally.

GEORGE M. PERMER, a witness who appeared before the committee, and being duly sworn, testified as follows :

By Mr. McKenna :

Q. Colonel, where do you reside ?

A. New Castle, Lawrence county.

Q. You hold any position ?

A. I have been a poor commissioner for seven terms—a poor director they call it.

Q. Does a discharge of the duties of your office make it necessary for you frequently to provide for the insane ?

A. It does very frequently.

Q. Where have you generally taken them ?

A. I took them here to Dixmont.

Q. Have you taken, since you first went into office, a number of patients here ?

A. Quite a number.

Q. Have you had frequent opportunity of seeing those patients after you brought them here ?

A. I have ; and am a sort of privileged character here.

Q. You are allowed to go through the wards and see them ?

A. Yes, sir ; at night and all times.

Q. You can state now, Colonel, whether you observed, in seeing the patients here, of your own State and county, if their treatment was good or not.

A. I have been interviewing quite a number of patients since this investigation commenced. Their reply has been, “ Why, that can’t be ; we receive the best treatment.” Well, I will state one—a man’s case. I met him the other day, and, in all probability, he will be returned. He says, “ I was a violent case, and when brought there, it was necessary to put a strait-jacket on me ; but,” said he, “ they done it ; I was ugly, but,” he said, “ they handled me as gently as a baby, and,” he said, “ I dirtied the bed, and did everything that is ugly ; but,” he said, “ with all my treatment of them, they handled me as gently as a baby. If I have to go back, I want to go there.” I have another patient, that was brought here twice. He makes now, on an average, from five dollars to ten dollars a day. He

says the only objection is, that it is a little too confining. The average cures of the patients that I have brought here is five in six, or ten in twelve. I have returned four twice ;—I am not positive of that, and will not say positively, but three of that number have gone out able to take care of themselves, and there is one now back. I had one in the alms-house for a while, and she returned here by her own request. She became violent, and wanted to get back here.

Q. You mean return to Dixmont ?

A. Yes, sir ; she said that she could not be kept there, so wanted to go to Dixmont.

By Major Walker :

Q. She could not go to other places ?

A. She could go to Warren. I have taken them to Warren.

By Mr. McKenna :

Q. You may state if you have visited other institutions for the treatment of the insane.

A. I have visited a great many. I have been at quite a number in Ohio, in my native State, and I have visited a great many ; in fact, having been to Columbus where my mother lives, of course I would naturally go to the insane institution, the old one, before it was burned down. I had been in the Harrisburg institution, and I have been to Warren, and I have been in the one over in Philadelphia.

Q. From your observation and treatment of the insane, from your official observation, you may state what you saw at Dixmont.

A. I don't know of any place, that if I was so unfortunate as to have an insane relative of my own I would send to a place so quickly as I would to Dixmont. I would not except the Philadelphia hospital even.

By Senator McNeill :

Q. You mean Kirkbride's ?

A. Yes, sir.

By Mr. McKenna :

Q. These patients that you have referred to I understand have expressed these opinions also ?

A. Yes, sir ; they are sane now ; one man making now from six to eight dollars, and I have had to return him twice.

Q. Are they reliable ?

A. Reliable.

Q. Worthy of belief ?

A. Worthy of belief.

Q. Do you regard them as thoroughly cured ?

A. There is one I count doubtful. He is liable to go back any day ; the other is apparently as well as you or I.

ROBERT MCGONNIGLE, a witness who appeared before the committee, and being duly sworn, testified as follows:

By Mr. McKenna.

Q. Mr. McGonnigle, I wish you would state what official position you have held in Allegheny county, that would give you some knowledge and familiarity of the treatment of the insane ?

A. For eleven years and three months I was secretary of the poor board of Allegheny City. During all that time had official intercourse with Doctor Reed, in directing the care of and transferring patients, and so on, and, of course, I necessarily visited here quite frequently.

Q. Did Allegheny City have some insane patients here ?

A. Yes, sir ; I think at one time we had as high as seventy here.

Q. The matter of their commitment and discharges and treatment, I presume, would devolve on you?

A. Yes, sir; those committed by order of our board; those committed by court I, of course, had a knowledge of; those committed by our board were all committed by my order, on account of the board, and if discharged, discharged as cured, or those Doctor Reed discharged on his own account. If transferred they were transferred by my order to him as authority for discharging them.

Q. During that period, was it part of your duty to keep in every particular as to the progress of these patients in a way to recovery?

A. Yes, sir; that was part of my work and duty. Of course I looked after it pretty carefully.

Q. You may state now the result of your observation of the treatment of the insane at Dixmont.

A. Well, the result was, where the cases were new and hadn't been lying for a year or two without treatment, kept at home, or sent to the poor-house and then sent here; if they were new cases, and not been of long standing, a very large percentage recover sufficiently well to take care of themselves. Some might be sent back, but a large percentage, I can say more than half or two thirds, of all acute cases were cured, or pretty nearly cured, and the other cases retained by their friends in alms-houses or in their home, but after a year or two, of course, you could not expect such good results, yet in many cases they were benefited.

Q. From your observation, from the actual treatment of them in respect to their final cure and medical attendance, and humane treatment, I wish you would state what would be the result of your observation.

A. Well, nearly two hundred patients passed through my hands, and I never heard a complaint, and I believe I would have heard it if there had been any reason for it.

Q. During that time, was any complaint lodged with the poor-board of Allegheny City, either for cruelty of the attendants or scarcity of food?

A. No, sir; and I will say I have visited it all times; when Doctor Reed expected me, I have gone through the wards with him, and when he did not expect me, have been through them, and at times when he was not here at all, and did not know anything at all about me coming. I always found the hospital in the same condition as it is to-day. I have been here after night, and Doctor Reed not here, and Doctor Hutchinson here, and they had a party in the hall, and didn't know I was coming until I walked in on them, and everything was prepared as if it was prepared for me.

Q. When did you sever your connection with the poor-board?

A. I resigned a year ago last September, and am now secretary of the Allegheny County Electric Company, and I have no connection at all with this institution. There was a patient here when I was at the institution, who was here for a number of years, transferred to the City Home, and he was retransferred here at his own request, and I believe he is here now.

By Mr. Graham:

Q. Haven't you visited a number of other institutions of this country?

A. Yes, sir; I have visited institutions in New York city and our own State.

Q. Officially?

A. Yes, sir; I was secretary of the board. I may relate my experience so far as the restraints are in some of the asylums. I have seen chairs they had fitted up in wards. They put the patient in it in the morning, and kept them there until night, with their hands strapped. I have seen in alms-houses men and women running indiscriminately, without anything

at all but a loose sack, just as though it was a coffee sack, thrown over them with holes for their arms, and without shoes or stockings or a thing. I have seen in alms-houses insane men, and women taking care of them, who were lying naked on the floor. She would attend to them the best she could. I never saw anything like that in this asylum.

Q. Have you been through this asylum?

A. Yes, sir; through the whole building—cellar, wash-house, kitchen, wards, and every other place, and everything looks right.

JOHN GINNETH, a witness who appeared before the committee, and being duly sworn, testified as follows:

By Mr. McKenna:

Q. What is your occupation in this hospital?

A. Attendant.

Q. What ward?

A. The sixth ward.

Q. How long have you been employed here?

A. Two years ten months and some days.

Q. Do you remember, Mr. Ginneth, A. P. Hopkins?

A. Yes, sir.

Q. Do you remember any difficulty that he had soon after his arrival here?

A. Well, I remember him being a good deal excited.

Q. Go on; tell what took place; what was about his conduct?

A. Well, he had been in the sixth ward about four or five weeks, as far as I know, and he took one day a spasm at the table, and he was carried out into the hall and laid down in the hall, and afterward taken to his room and put to bed. He was reported to the supervisor and he reported to the doctor, and the doctor came in, and ran back and got some medicine and gave him some medicine. That was about half-past twelve. About half-past two or three he was still excited a good deal and the doctor gave orders for me to take him to the tenth ward. He was too noisy out there.

Q. Did he, during that time or any time you saw him, try his muscle on any of the attendants?

A. Well, yes, sir; that night he did.

Q. Tell us how he did it.

A. It was in the tenth ward. They were taking him to his room. He was pounding on the floor making a great noise. There was no use giving him his medicine without putting restraint on him, he would only spill it. As soon as I opened the door he struck me.

Q. Did he hit you?

A. He did not hit me.

Q. Did you assist in putting the jacket on any time?

A. Yes, sir; that night.

Q. Go on; tell us what took place after he struck at you; did he strike you?

A. No, sir; two of us caught hold of his shoulder—one behind, holding him until we got the muffs put on him.

Q. Just describe how it was. Was he able to handle a couple of attendants?

A. Yes, sir; three of them.

Q. You had much difficulty doing that?

A. Well, we certainly had quite a job of it. I considered him the most violent patient that was sent here.

Q. Did you abuse him in any way, or did any of the attendants abuse him?

A. No, sir.

Q. Did you see him being kicked?

A. No, sir.

Q. Had he his ribs or other parts of his body broken?

A. I don't remember.

Q. Would you remember it if it was done or had taken place?

A. Well, yes; I guess I would.

Q. You was there?

A. Yes, sir.

Q. You saw Mr. Hopkins' statement how he had been injured?

A. Yes, sir.

Q. Do I understand you to deny that he had received such injury?

A. Yes, sir.

Q. You may state what your instructions are in reference to the treatment of the insane.

A. It is to treat them kindly—not to abuse them in any way more than what is necessary in putting them under restraint.

Q. Did you say these instructions are carried out?

A. Yes, sir.

Q. Did you ever see any patient in your ward abused, hit, kicked, or struck through malice?

A. No, sir; never saw any one abused.

Q. Do you know of any punishment being inflicted upon patients?

A. No, sir.

By Senator Hart:

Q. How long have you been here?

A. Two years, ten months, and some days.

Q. How did you succeed in getting the strait-jacket on Hopkins?

A. We don't put a strait-jacket on him; it was muffs we put on him.

Q. How did you succeed in getting those on him?

A. One of us had hold of his shoulder, the other held him by the arms, and got the muffs buckled on him by holding him down.

Q. Did you throw him down?

A. Yes, sir.

Q. Did any one jump on him?

A. Not that I remember.

Q. You would remember if anything of that kind occurred?

A. Yes, sir.

Q. How did you hold him down?

A. Well, there were three of us put our knees down on him and held him down.

Q. Did any one have hold of his legs?

A. No, sir; not to my remembrance.

Q. Did you hear him complain of bruises afterward?

A. No, sir; never heard him complain of bruises.

Q. Was you attendant in that ward—as I understand, he was restrained in the tenth ward?

A. Yes, sir.

Q. Did you continue an attendant of that ward after he was there?

A. No, sir.

Q. I believe in the tenth ward?

A. Sixth ward.

Q. Did you see him afterward?

A. Frequently.

Q. Did he ever make complaint to you of any injury on that occasion?

A. No, sir; never heard of him complaining about injuries.

Q. How many were there aiding in putting on these mufflers?

A. There were three of us, one at the door keeping the door closed.

Q. There were two besides yourself?

A. Yes, sir; William Liggett and Joseph Hamilton.

Q. Who was the one who had charge of the door?

A. Joseph Dunseath.

Q. How long was this after you became attendant here?

A. I don't just remember.

Q. Did you see him out of doors taking exercise and so on?

A. Yes, sir.

Q. With other patients?

A. Yes, sir.

Q. How soon afterward?

A. Well, a few days afterward.

Q. Did he appear violent after that?

A. Well, no, sir.

Q. Did you ever see him attempt to exert his strength upon any person, and if so, in what manner?

A. I have seen him getting down on the floor on his hands and feet and jump off the floor all at once that way.

Q. How long after this muffler was on do you remember him doing that?

A. I don't remember how long.

Q. How long was that before he was discharged?

A. I don't remember how long it was before he was discharged.

Q. It was near about three or four months, as I understand?

A. Yes, sir.

Q. Was it near the beginning of his term, the close, or the middle of it?

A. I think it was somewhere about the middle, as near as I can remember.

By Mr. Graham:

Q. In respect to one question, you stated that you were instructed not to abuse any of the patients more than was necessary—you do not mean that; do you mean that you are not to use any more force than was necessary in order to restrain them?

A. Yes, sir.

Q. You didn't mean abusing them?

A. No, sir.

Q. That is what you said, though. You said not to abuse them.

A. I didn't mean that.

By Major Walker:

Q. In the testimony that you have given, do you mean what you say?

A. With that exception.

By Mr. McKenna:

Q. Do you remember the time he took the spasm at the table?

A. Yes, sir.

Q. He said in the testimony he was only joking.

A. It did not appear as a joke.

By Senator McNeill:

Q. Was that fit he had at the table after the time you had put on the muffler.

A. No, sir; it was before that.

JOSEPH HAMILTON, a witness who appeared before the committee, and being duly sworn, testified as follows :

By Mr. McKenna :

Q. Mr. Hamilton, do you remember a man named A. P. Hopkins, who was an inmate here ?

A. Yes, sir.

Q. Were you on the committee of reception ?

A. Yes, sir.

Q. You may state how he acted on that occasion.

A. Well, on the first night I saw him, Mr. Caldwell gave him into our charge in the bath-room.

Q. Just describe that.

A. Our instruction was to bathe him and to be careful with him, and we did so ; he seemed to be quiet—in a stupor here ; so we bathed him and put him to bed. It was, as near as I can recollect, about six o'clock.

Q. What took place afterward ? Tell all you know about his action and conduct.

A. Then he kept quiet until about eleven o'clock at night ; then we heard a terrible noise, and him hollering. So we rose and at the time we had to just restrain him ; put on a strait-jacket, and put him to bed.

Q. Had you any trouble to do that ?

A. No, sir ; no trouble at that time.

Q. No trouble to put on a strait-jacket ?

A. No, sir ; we got it on before he knew anything about it.

Q. Got it on by strategy ?

A. Yes, sir.

Q. Tell us any difficulty you had afterward.

A. We went back to bed again, and in about five minutes we heard him again. We heard the jacket burst, and he took it and threw it out of the door. He said, " There is the old jacket, it is of no use." We found it necessary to go for a pair of muffs and put them on him.

Q. Why did you think it necessary ?

A. Because he was still pounding and hollering at the door.

Q. When you opened the door and went to put the muffs on, what did he do ?

A. He went back in the far corner of the room and tried to resist.

Q. Did he succeed in resisting ?

A. We had a little difficulty, but nothing of any consequence.

Q. Go on ; tell us what you did.

A. We caught hold of him and buckled the strap on his wrist, and the other one put the strap of the muffs around his waist and put him in bed.

Q. Was it an easy job ?

A. It was not very easy. We had harder jobs afterwards.

Q. With him ?

A. Yes, sir.

Q. Go on and tell us what you know.

A. That was all at that time. The next morning we were obliged to take the muffs off to get him washed ; he would not let us put them on again. I told Mr. Caldwell in the morning. He said he would furnish us with a new jacket, in place of the one he had burst, and he wished we would put it on. When we had it on he would roll out of bed, and get his shoulder out of the bed. It was a low bed, for fear the man might hurt himself, but he only got his shoulder against the bed ; and after this, began tearing and hollering all night, so we had to tie him in bed.

Q. Did he submit gracefully ?

A. No, sir; we had to do it by force.

Q. How did he resist?

A. He resisted all he could.

Q. Was it a mild opposition or forcible one? How many attendants did it require to put him down?

A. It required three to restrain him with nothing but the gloves, but latterly he got so violent it took three.

Q. Was he a very powerful man?

A. Yes, sir.

Q. Did any of the attendants, Mr. Hamilton, in any of the conflicts you had with him, strike or abuse him?

A. No, sir; never to my knowledge.

Q. You were there during the collision?

A. Yes, sir.

Q. Did you see any more force used than was absolutely necessary on Mr. Hopkins?

A. No, sir; no, sir.

Q. Did Mr. Hopkins have opportunities while in that ward to see the physician, Doctor Wiley?

A. Yes, sir; frequently.

Q. Did you see Doctor Wiley see him?

A. Yes, sir.

Q. Did you see Doctor Wiley alone with him?

A. Yes, sir.

Q. Did he go into his room?

A. Yes, sir; went into his room; sat with him and talked with him.

Q. You saw that?

A. Yes, sir.

Q. Did you see Hopkins try his strength wrestling afterward?

A. Yes, sir; he often exhibited his strength in different ways.

Q. How?

A. By stretching himself down on the floor with his hands and feet and jumping clear off the floor.

Q. Did he ever complain while in that ward of broken ribs?

A. No, sir; never.

Q. Did he act like a man of great strength and vigor?

A. Yes, sir; he always did.

Q. What was your position, Mr. Hamilton?

A. I was an attendant.

Q. How long were you there, about a year?

A. Well, about one year.

Q. You were there about a year now?

A. Yes, sir.

Q. What were your instructions that you received from supervisors, Doctor Reed, or Doctor Wylie, in reference to forbearance toward patients that would resist?

A. We were ordered to treat them kindly, and use no more restraint than was really necessary.

Q. Do you know of any punishment that was inflicted on patients?

A. No, sir; never.

Q. What is the penalty for striking and abusing a patient?

A. I understood the penalty would be discharge, except in self-defense.

On motion of Major Walker adjourned to meet at the St. Charles Hotel, in the city of Pittsburgh, to-morrow morning, Thursday, March 8, 1883, at ten o'clock, A. M.

And now, to wit, Thursday, March 8, 1883, parties met pursuant to adjournment, at the St. Charles Hotel, at ten o'clock.

Present: Representative McCrum, chairman; Representatives Walker, Graham, and Senator Hart.

HENRY A. HUTCHINSON, a witness who appeared before the committee, and being first duly sworn, testified as follows:

By Mr. McKenna:

Q. Just state what your profession is, and what your duties are.

A. I am the assistant physician for the female ward of Dixmont Asylum.

Q. Where did you acquire your education?

A. I acquired my education at the University of Pennsylvania.

Q. What year did you graduate?

A. I graduated in March, 1878.

Q. How long have you been connected with Dixmont Asylum?

A. I have been connected with the asylum almost four years.

Q. In what capacity?

A. I was first, third assistant physician when I went there; now pretty nearly two years I have been physician of the female ward.

Q. Had charge of that?

A. Yes, sir.

Q. You may state what your duties consist of as physician of the female ward?

A. My duties consist in attending to female patients; that is my main duty, looking after wards generally, and seeing that they are kept in order; that they are taken care of properly and kept in good order, in good shape, and see that the attendants perform their duty satisfactorily.

Q. What attention do you give the patients personally?

A. I visit every patient every day, and sometimes see them frequently every day; sometimes in the wards twice, sometimes three times, and sometimes six or seven times a day.

Q. Do you prescribe for those that are sick?

A. I do all the prescribing for the patients whenever they are sick or need attention.

Q. How many patients have you?

A. About two hundred and ten or two hundred and twelve patients on the female side at present.

Q. Do you prepare your own medicine?

A. Yes, sir; that is, I put it up.

Q. Do you have any consultation about the mode of treating patients?

A. I consult with Doctor Reed daily about the patients, get his advice, talk over the case with him, &c.

Q. Just state what his habit is in reference about it.

A. He visits the wards, too, generally; very often visits them every day, sometimes two or three times, and always once a week, and he tells me what he thinks about certain cases.

Q. You have his advice, consultation, and experience to guide you in your duties?

A. Yes, sir; of course, I am governed in a great measure by what he advises in regard to patients.

Q. Doctor, I wish you would state distinctly what are the duties of the female attendants?

A. They have immediate supervision of the patients; see that the patients are properly taken care of, look after the wards, and see that the

wards are kept in order, and that everything in the ward is attended to properly.

Q. Give us their daily routine.

A. The attendants are up in the morning, about half-past five or six o'clock, and see that the patients are up, see that the patients are washed and dressed, then they take them to breakfast. After breakfast the attendants see that the ward is clean, the beds are all made, and then the balance of the day is spent in looking after the patients and attending to them as they may require.

Q. The helpless and feeble ones—what are the duties of the attendants to them?

A. The sick patients; the attendants look after them almost constantly, almost all the time, and give them whatever attention they may need, and supply all their wants.

Q. Is that their instructions?

A. Yes, sir; that is my instructions to them.

Q. I wish you would describe to the committee here, what the instructions are to attendants with reference to using the necessary force on their patients?

A. The instructions to attendants are to use only—and treat them kindly and with great forbearance, and with as much tenderness as they possibly can extend to them, and not to use any force whatever, only what is necessary for the patient, and not to use any restraint of any kind without the direction of myself, or, in a case of emergency, Miss Hope.

Q. Are the attendants allowed to become the aggressors in any use of force to patients?

A. No, sir; they are not allowed to strike a patient at all. If they did, and I knew it, I would discharge them.

Q. What facilities, Doctor, are there for attending to patients during night time?

A. If a patient is sick, I detail an attendant to look after the patient during the night, and, if very sick, I have an attendant sit up all night in the room, and wait on them at certain hours.

Q. If you give such orders, are the attendants bound and obliged to perform them?

A. Yes, sir.

Q. Could there be any case of sickness for a day or half a day without you knowing it?

A. No, sir; all cases that occur between my visits are reported to me, and they send for me, and I go in.

Q. State what your examination would be like.

A. To look after the patients, if they are healthy. In going my round in the morning, and getting through so frequently, I don't think there could be a case of sickness without my knowledge.

Q. Do you have charge of the diets of the patients?

A. Yes, sir; I diet the patients. The general diet is under Doctor Reed; of course the diet of sick patients is almost entirely under me.

Q. Is it your duty to inspect the food given to patients?

A. Yes, sir; I see the cooking, and, at meal times, I see the meals before they go from the kitchen, and frequently see it before it comes in.

Q. Give us your opinion on that subject.

A. I think the food furnished at Dixmont is most excellent. It is always nicely prepared, and the quality is always the best. Beside the ordinary diet, all patients have a great many little luxuries, such as jellies; they

can have as much jellies as they want, and also have tea and coffee, and also anything of that kind; coffee—pure coffee—and all those things.

Q. A patient that don't feel like eating at meal time, during the dining hour, what provision is made?

A. That is also under my care. If a patient don't care to eat, we don't compel them to eat; we advise them to eat, and, if they don't want it, it is left to me whether I shall compel them or not.

Q. Suppose, at intervals, they desired something?

A. They can have it, and they frequently do have it

By Mr. Graham :

Q. You speak now of sick patients?

A. A sick patient can have nourishment between meals.

By Major Walker :

Q. How is it with the others?

A. The others can, too, if they want it.

Q. There is no discrimination between the sick and the well?

A. With a sick person I direct it; a well person, if they want it, they can have it.

Q. Do they have to apply to you for that?

A. No, sir; I allow the attendants to do that. If they want it, they can get it.

By Mr. Graham :

Q. You know Doctor Sevin? He could have nothing between meals at all.

A. I don't know anything about that. I know my patients can have anything to eat they want.

By Mr. McKenna :

Q. I wish you would state that during your administration of patients named Mrs. Mitchell, Mrs. Norcross, Miss Watt, Katie Fondolier, Mrs. Seltzer, and some others, probably, that have been named by the various witnesses, especially the Coulters, if they were under your treatment.

A. Yes, sir; every one of them.

Q. I would like to hear if you heard of any of them being abused or ill-treated in any way?

A. No, sir. Nothing until I read about it to-day from the papers here.

Q. The testimony here?

A. Yes, sir.

Q. Could it have occurred that Mrs. Seltzer had been in a hot bath—scalding hot—by an attendant without your knowledge?

A. It could have occurred, but I don't think such a thing ever could occur. I don't think there is any probability of its occurring, because Miss Hope is always around during bathing time.

Q. That is the supervisoress?

A. Yes, sir.

Q. Is there a regular hour for bathing?

A. Yes, sir; and I think it is impossible for anything of that kind to occur.

Q. Did you ever examine this patient, Mrs. Seltzer?

A. I saw her every day—saw her frequently, and tried to talk to her. She is one of that kind that could not talk. There was nothing the matter physically with her. Her physical health was good.

Q. Had she intellect to tell you that she had been scalded with hot water if it had happened?

A. I think she had enough of mind to tell a person had she been abused in any way. I think she could.

By Mr. McKenna :

Q. If she had cried out or screamed while subjected to this hot-bath, could it have been heard in the ward ?

A. Yes, sir ; I think it could. During the bath time the attendants are required to be in their wards. No attendant can leave the ward at that time. I think such a thing could not occur.

Q. You know the attendant that is alleged to have put her in that bath—Miss Coleman? The testimony of the Coulters named her as one of the attendants.

A. Yes, sir.

Q. How long was she under your orders in that ward ?

A. I think she was there about a year ?

Q. She is not connected with it now ?

A. No, sir.

Q. From your knowledge of her, and of the treatment of patients, what would you say in reference to her ?

A. I consider her a competent nurse. I consider her fully competent for the position she held ; not only that, but she was a very kind and humane girl in every particular. I think it would be the last thing she would think of to treat an insane patient that way.

Q. You would say that on account of your knowledge of her character ?

A. Yes, sir ; I don't think she could possibly do it if she wanted to. Miss Hope is always present ; the other attendant is present. I don't think it is possible.

Q. Did you know Miss McCaslin ?

A. Yes, sir.

Q. Describe her competency and character.

A. Miss McCaslin, while she was in the hospital, was considered by Doctor Reed and myself, and everybody who transacted business with her, a competent nurse, and, also, she was very kind to the patients. She had charge of the hall, I believe.

Q. Did you ever know of Miss McCaslin and Miss Coleman handling the patients roughly at any time ?

A. No, sir ; never did ; never heard of such a thing.

Q. You might describe Miss Alexander.

A. Miss Alexander has been there the longest of any of those you mentioned. She is considered one of our best nurses. She has had a great deal of experience nursing sick and insane people, and she is very kind and considerate to them all.

Q. You say they are all competent nurses. Just state to the committee what goes into the consideration of competency and efficiency.

A. I think a competent nurse is one who looks after all the minor details for the comfort and care and treatment of the patients, carries out the doctor's order carefully, and provides for all their wants.

Q. Do kindness and humanity and disposition enter into it, that is, competency ?

A. Yes, sir ; that is a very particular consideration. She was very kind.

Q. You may state, Doctor, if some of these patients—Mrs. Noreross, Mrs. Mitchell—whether from their own disposition they were required to be restrained ?

A. Mrs. Noreross was the most suicidal patient I ever saw in my life. She required constant watching. I never permitted her to be out of sight of Miss Alexander—never once. Miss Alexander would detail some one else to watch in her place when she had occasion to leave the ward any

time. After she came to the hospital she was kept under restraint, and we never trusted her to be without it.

Q. Was she extra violent to herself?

A. I don't think she would injure patients. But she was determined on suicide, and made every effort to commit it. She frequently told me she would commit suicide, and told me to take the restraint off her, so she could carry out her intention. She complained the restraint would hurt her, so as to induce me to pity her and get the restraint off her. She told me often afterward that was her intention after it was removed.

Q. She has improved somewhat?

A. Yes, sir.

Q. You may describe Mrs. Mitchell.

A. Mrs. Mitchell was a very suicidal patient—not so much so as Mrs. Norcross was, and generally more easily persuaded out of it.

Q. Do you know that it was necessary at any time to exercise restraint upon her?

A. Mrs. Mitchell would not have been living long ago if she was not restrained at night. She was not so suicidal that we could not leave her go in daytime, but we dare not trust her at night.

Q. I understand you advised in both of these cases rigid restraint.

A. Yes, sir; both Doctor Reed and myself advised and insisted upon it.

Q. Do you know of force and restraint being used without your advice and direction.

A. No, sir; I never saw a sleeve put on them. I never saw any more force used than was absolutely necessary. They both struggled against restraint; of course it made it a little harder.

Q. What would be the result if restraint and force were used against a patient without your orders?

A. I would have the attendant removed.

Q. Do you mean by remove, discharge them?

A. Yes, sir.

Q. So I understand the attendants are given no discretion.

A. Yes, sir; they can put on no restraint unless I order it.

Q. If they had any case of emergency or when you are absent—what then?

A. It occasionally happens in a ward that a patient has a violent outburst of paroxysm and it becomes necessary then to put on restraint before they can leave the ward. They then put on the restraint themselves, and immediately Miss Hope if not present is sent for and she comes and sees that it is all comfortable, and immediately advises me and I go and see the patient.

Q. Is that the general rule?

A. Yes, sir; always the general rule.

Q. They must acquaint the physician?

A. Yes, sir.

Q. You may state, Doctor, what you know in reference to Kate Fondelier.

A. Kate Fondelier at times was a very nice patient, and at other times she was difficult to manage—hard to manage, hard to get along with; a girl that made a great deal of trouble among other patients.

Q. Why was it necessary to place her in a separate room?

A. She was placed in a separate room after she had made one or two escapes. She was placed in there to prevent her from escaping.

Q. Just state if it was a dark room.

A. The room could be made dark. There was a shutter in the room, and

part of that time the shutter was kept closed ; but Katie was always allowed the privilege of the hall in the morning and in the evening.

Q. Explain why it was kept closed.

A. It was kept closed in the morning when they were very busy attending to other patients, and they could not be in there to watch Katie, and therefore the shutter was kept closed.

Q. What would they have to watch her for ?

A. They were afraid she would break out of the window. She was then that kind, and would do so, and it was, therefore, I had the shutter closed.

Q. Was she furnished with a bed, or accommodations for sleeping ?

A. She was furnished with a bed and bedding, everything except a bedstead ; that was taken out by my direction. She became very suicidal after being returned to the hospital, and for fear she would commit suicide I took the bedstead out, and for another reason. In these paroxysms she was very homicidal, and I was afraid she might take some part of the bed and strike some one with it that went into the room. The main reason was to prevent her from suicide.

Q. You was afraid of violence to others always ?

A. Yes, sir ; at times, and more frequently this time.

Q. Doctor, was there any period of her confinement in that room that she was deprived of bedding ?

A. No, sir.

Q. Was she placed there in any way for punishment ?

A. No, sir ; there is no such thing as punishment.

Q. No patient is allowed to be punished ?

A. Another thing, she was more quiet while in that room by herself than out in the hall with others.

Q. Did she have proper medical treatment when she died ?

A. Yes, sir.

Q. Were you there at the time of her death ?

A. I was there a few moments before she died.

Q. Was a post-mortem examination held ?

A. Yes, sir ; I conducted the post-mortem, assisted by Doctors Reed and Wiley.

Q. Did you discover the cause of her death ?

A. Yes, sir.

Q. State it.

A. The cause was pulmonary apoplexy.

Q. You never heard of her receiving ill-treatment ?

A. No, sir.

Q. Until you read it ?

A. Until I read it in the newspapers.

Q. Were the Coulter girls under your jurisdiction ?

A. They were under my care ; not so much so as the other attendants, because they were surplus attendants, and consequently were most of their time in the sewing-room. They were in the ward at meal times and early mornings.

Q. Tell the committee here what you know of the Coulters ; did they discharge their duties ?

A. I never considered them competent persons for the position they were in ; they were too timid ; they didn't know how to get along at all.

Q. How did they manage it ?

A. You had to tell them everything, and when you wanted them you never could find them. They never could do anything. You had to show them everything. They didn't seem to know anything about it.

Q. Was there any complaint made to you about those girls?

A. Yes, sir.

Q. By whom?

A. On two or three different occasions complaint was made to me by Miss Hope and several attendants in that ward.

Q. What was the complaint?

A. That they were inefficient, and were not capable of discharging their duties.

Q. Were any complaints made by the Coulters, to you or anybody else, that the attendants abused patients in that ward?

A. No, sir; they never complained to me. They said very little to me. They never complained to me of abusing patients at all.

Q. You may state what you know about Miss Hope, the supervisoress in that department.

A. I consider Miss Hope the very best person possible that Doctor Reed could have for that position. She has been there a long time, and has had great experience. She is very kind, and very patient, and tender-hearted, to those patients under her charge. She looks very carefully after them; and in addition to all that, she has a fine temper, a fine disposition. She never gets ruffled or disturbed by any ignominy that the patients put upon her.

Q. I wish you would describe whether patients do heap ignominy upon attendants and others.

A. I have been walking along with Miss Hope, and suddenly a patient grabbed her watch and chain, broke it, and threw it upon the floor. I have seen them tear the dress off of her, and I have seen them spit in her face and my own at the same time.

Q. Doctor, did you ever hear any opprobrious language used by patients to attendants?

A. Yes, sir; I have heard them called all kinds of names—everything of that kind. I have also had a few of those terms applied to me.

Q. Doctor, you may state how attendants bear this contumely.

A. They always bear them without a single complaint. They never mention it. They never refer to it in any way. They seem to think that is no more than they can expect from poor, insane persons. They never say anything about it.

Q. Are they allowed, in any way, to retaliate?

A. No, sir.

Q. Do you know anything about the rough treatment of Mrs. Norcross? As is alleged, when she was confined to bed, a pail or bucketful of water was dashed in her face.

A. Not a bucketful of water; there was a cupful of water thrown in her face by Miss Alexander. I directed her to do so, and she did it.

Q. Why?

A. Because Mrs. Norcross had a violent paroxysm of hollering and screaming at the top of her voice. I tried every other means to quiet her, and I recommended therefore water to her face. She did so, and immediately became quiet.

Q. Doctor, were you present then?

A. No, sir; not present at that time. Neither was anybody present but Miss Alexander when it was done.

By Major Walker:

Q. How do you know that?

A. I only know that because she told me.

By Mr. McKenna:

Q. Was that a frequent occurrence?

A. I don't do it very frequently. I can generally quiet a patient by some other means. By talking to them, coaxing them, and soothing them, and so on.

Q. What effect did it have upon her as to the hollering?

A. Yes, sir; she was quiet after that for sometime, but she never gave us as much trouble as she did before that time. Finally she became quiet and gave us no more trouble. We didn't even have to give her sleeping medicine which other patients have to take. I consider it a very harmless remedy, and one which would not hurt her, and I would not hesitate to apply it.

Q. Do you know of her being allowed to remain in bed after the water was splashed over her without being wiped up and dried?

A. No, sir; I gave strict directions in regard to that.

Q. Do you know whether your directions were carried out?

A. I was told they were.

Q. Doctor, you may state in reference to the method of tying the strait-jacket on patients—state what your instructions to attendants are.

A. My instructions to attendants are to put the strait-jacket on as carefully as possibly upon the patients.

Q. How with respect to tying the knot?

A. In respect to tying the knot, if a patient is fastened in bed I insisted that it be placed on the side where it will not hurt the patient in lying down, and oftentimes the thing is not tied at all, because the patient is tied by the left sleeve to the side of the bed.

Q. Doctor, do you know of the knot being tied on the back as a method of punishment?

A. No, sir.

Q. Do you know anything about the use of straps on patients? Did you hear the testimony on that subject?

A. I have advised patients being strapped to the side by a belt attached to the waist—in those violent wards in Dixmont, where the seats are stationary—to prevent them running up and down the hall and making a general disturbance; but so far as hitting and choking, I have never heard anything of that kind, and I never would allow it.

Q. Miss Coulter testified to straps being used by Miss Alexander, and principally by Miss McCaslin, and, I believe, on Mrs. Mitchell.

A. At that time there was no strap in that ward, unless they went into some other ward and got it; there was no strap in the ninth ward, unless they went out and got it.

Q. Was there any strap used?

A. No, sir.

Q. Well, describe those straps.

A. They are about that long [describing them] and go around the waist.

Q. What are they made of?

A. Made of leather, and then a buckle that can be locked so they can't unbuckle them.

Q. Do you know, Doctor, of the attendants being permitted or allowed to use the keys for striking patients?

A. No, sir.

Q. Would that be against the rules?

A. Yes, sir.

Q. You may state whether you saw Hopkins, Carroll, and Sevin.

A. I have seen these distinguished gentlemen.

Q. Saw them all through your administration?

A. Yes, sir.

Q. What would you say in reference to the sanity of these men?

A. I didn't see Hopkins when he was discharged, as I was away from here, but just a short time previous to his discharge I saw him, and I would consider him a thorough insane man. I don't see how he could have recovered in a few days.

Q. What did you see about him which led you to form that opinion?

A. The last time I saw Mr. Hopkins he was very much excited; very incoherent in his language, and very abusive in his language toward the patients. I remember when I went and saw him he was a very large, robust man, one of the finest specimens of physical health I ever saw.

Q. Had he been here for some time?

A. I saw him often; quite frequently.

Q. I think he testified that while in the first ward he had sustained very severe injuries from one of the attendants, from being abused?

A. I saw Mr. Hopkins, on an average, once a week. He was walking around there erect, with a fine carriage which he had; I don't think he could go around so with broken ribs. He never seemed to show any difficulty in respiration.

Q. Did he make any complaint to you at all?

A. No, sir.

Q. Did he show any signs of being injured?

A. No, sir.

Q. Doctor, give your recollections of Mr. Carroll.

A. Mr. Carroll; I remember when he was brought to the hospital. He was brought to the hospital in a strait-jacket. He came with a doctor and some other friends. I think the doctor named here was Harding, a friend of his. He was taken into the ward, and the last I saw of Mr. Carroll until I saw him, when confined in the sixth ward, when I was attending Doctor Wiley's patients in his absence. I then had a talk with Mr. Carroll, had a very long talk with him; he was very much better, and spoke in the highest terms of the care and attention he had received, and expressed the hope that he would be soon well enough that he could go away, and seemed very much pleased in every particular at that time.

Q. You remember of seeing him before he left?

A. No, sir; I was in the hospital, but I was not in the office when he went away.

Q. Doctor, I presume your recollection of Doctor Sevin is more distinct and full than of any other?

A. I saw him myself every day as I went around, or as I went by, in his room.

Q. He was longer in there than any of the other patients?

A. Yes, sir.

Q. You say you were better acquainted with him?

A. Yes, sir; I had frequently talked with him when I had charge of the male ward, and during the Doctor's absence, when he was on a visit away home. I used to talk to Doctor Sevin almost every morning. I talked to him half an hour and sometimes two hours at a time.

Q. Do you recollect what year that was?

A. Well, yes; I can tell you. It was last April. For two weeks I saw the Doctor every day, and conversed with him most every day, and the night previous I did the same thing.

Q. You may describe to the committee here his condition.

A. I used to talk to Doctor Sevin when he was in the second ward. That is the convalescence ward on that side of the house.

Q. You mean better ward mentally ?

A. Yes, sir. He had a nice room—everything to make him comfortable, and seemed to be comfortable, as comfortable as could be. He had books, papers, and everything of that kind around him to amuse him and entertain him. He was a great man to read. He had art journals and a quite extensive mail, so far as foreign journals are concerned.

Q. Did he give these to you to read ?

A. Yes, sir ; he used to give his journals to me, and I used to look at them. The pictures in them were very fine.

Q. Suppose he received English and German works ?

A. Yes, sir. He was a great man to talk medicine, although I think the Doctor's knowledge of medicine was very deficient, because his memory was so defective, and he had no practical experience for so long a time.

Q. You may state whether he had any other reading matter furnished by the institution.

A. Yes, sir ; he had the legislative document given to him here, he said, though I never remember of having seen it.

Q. Doctor, have you a large library here ?

A. Yes, sir ; he had access to that, and could have had any book out of it that he wanted, and between Doctor Wylie and myself we saw that he was provided with any little comforts that he wanted.

Q. Did he have intelligence at that period to make complaints to you that he was badly treated ?

A. Yes, sir. He never made complaint to me. I used to talk to him about his condition.

Q. Did he say he was badly treated at any time ?

A. No, sir.

Q. Doctor, from your experience in both wards—the male and female department—I wish you would give an opinion as to the treatment of the patients.

A. The patients, so far as I know, on the male side, and during the period I have visited them regularly, during Doctor Wiley's absence, are treated well, and could not be treated any better. They were well taken care of in every particular, and, of course, I know they were on my side.

Q. Do you know patients here named Pershing, Niesteil, Dinkel ?

A. Yes, sir ; I know them quite well.

Q. Just state to the board their condition.

A. I know Mr. Pershing, Mr. Niesteil, and Dinkel. I have talked to these three gentlemen, and I know they are very insane men. Pershing is very insane—that in a moment's conversation you can see how insane he is.

Q. Doctor, did you ever know of any sane person being confined there as a patient ?

A. I never did.

Q. In either the male or female wards ?

A. Never did.

By Mr. Graham :

Q. Do you think it is possible such could have been retained here without your knowledge ?

A. I don't think it is possible at all.

By Mr. McKenna :

Q. Doctor, I presume, under your rules, if they are convalescent, and lucid a short time, you keep them a little longer ?

A. Some cases. We keep them here to see if they are subject to a re-

current attack. I have seen cases I thought well enough to go home have a violent outburst of insanity; but as soon as we think the recovery is permanent, they are discharged immediately.

Q. Who does the cooking?

A. Mrs. Rankin.

Q. Has she had large experience?

A. She has been there ten or twelve years. Is a first-class cook.

Q. Can you say that from experience?

A. Yes, sir. She is a first-class cook in every particular.

Q. Do the physicians partake of her cooking?

A. She presides over the cooking for our own table, and has the general supervision of all that is done. She is in the kitchen all the time. Gives her whole attention to it. If at any time articles of food are not exactly up to what she thinks they ought to be, she reports right immediately to Doctor Reed. So far as the sugar goes, and such things they speak of, I remember of seeing light-brown sugar, say, once or twice. It was a very nice quality, and you could hardly tell it from white sugar. It was so light in color.

Q. Did you have any patient in the female ward during the time Mrs. Coulter was there? In other words, had you any patients going to bed hungry?

A. Well, I suppose they have gone to bed hungry when they have not eaten.

Q. But for want or lack of food?

A. No, sir; there is always an abundance.

By Mr. Graham:

Q. Did they ever make a complaint to you in regard to that?

A. No, sir; never made a complaint of hunger. There is always plenty to eat.

By Mr. McKenna:

Q. How about drinking water?

A. There is some place for the drinking water, and the patients can get it whenever they want it. The spring closets on that side of the house are not within reach in some of the wards, being the clothes closet, and for good reason the doors are kept closed, but the attendants have orders to give them water whenever they want.

Q. You may give the reason.

A. A great many patients would pollute the water, and not only do that, but pollute themselves. You have no idea how they would make the water fly if they had free access to it; and about patients drinking at night—a great many of them have water placed in the rooms at night; if they want water at night, and if they have not water there already, the attendants are always directed to give them water.

Q. Suppose, where you trust the water in the room, don't it depend upon their mental capacity?

A. Yes, sir.

Q. There are some whom you can't trust with it?

A. Yes, sir.

Q. Those that are not given that privilege, do you refuse them water when required?

A. Those that are not given that privilege we are afraid they will do some damage with the glass.

Q. That is the only restraint?

A. Yes, sir; on my side of the house. I often visit them, always when I am specially sent for.

By Major Walker :

Q. What experience did you have, as a physician, prior to entering into Dixmont Hospital?

A. Since I graduated, I had one year's practice.

Q. Will you be kind enough to state where you practiced?

A. I practiced that year in Trenton, New Jersey.

Q. What was the peculiarity of your practice—was it special?

A. General practice.

Q. After practicing there for a year, you then went to Dixmont?

A. Yes, sir.

Q. Were you in an office by yourself, in Trenton?

A. Yes, sir.

Q. Had you an extensive practice?

A. I had a very good practice, but not so about the paying part of it, but I had a great many cases.

Q. Doctor, at the time you joined the asylum, at Dixmont, how many females were immediately placed under your charge?

A. None at all; I did not have charge of the female ward.

Q. Just state when you joined the asylum, in Dixmont, what peculiar or special duties you had to perform there?

A. When I went to Dixmont I assisted Doctor Reed, principally in the transaction of his business—office business or general business—writing and correspondence, and in attending to all his other duties, and in attending to the wards during the absence of the other physicians.

Q. Then you were not employed as a physician at that time?

A. Oh! yes, and I put up some medicine for both sides of the house, but not as a regular physician of the wards.

Q. How long did you remain in the capacity you have just mentioned?

A. I remained in that capacity for about a year, or a year and a half.

Q. Then you were a year and a half in the asylum not in the capacity of a regular physician?

A. Yes, sir; it was longer than a year—from one to two years.

Q. Then what, Doctor?

A. Then the other physician on that side of the house resigned, and Doctor Reed gave me that position.

Q. Then, Doctor, from the time you graduated the University of Pennsylvania, in Philadelphia, until you took charge of the hospital at Dixmont, you simply had one year's practice, according to your testimony?

A. Yes, sir.

Q. How many patients were in the female department when you took charge of that?

A. Well, about the same number there are there now.

Q. Just state what that may be.

A. About two hundred and ten or two hundred and twelve.

Q. Doctor, had you any special information as a physician, or did you make, at this time, the diseases of women a specialty?

A. Nothing more than what I learned at the medical college.

Q. That is general?

A. Yes, sir; I attended to clinics very closely, and gynochology.

Q. Did you pay special attention to obstetrics—female complaints?

A. Yes, sir; I attended to them.

Q. Did you attend it specially?

A. No, sir.

Q. Then you did not make the study of female diseases a specialty?

A. No, sir.

Q. You were simply known as general physician ?

A. Yes, sir.

Q. Doctor, I wish you would state—I don't speak from an insane standpoint in reference to patients, but in reference to the sickness of patients under your immediate charge—what is usually the character of their complaints, as sick people, at the hospital.

A. Most of their complaints are mental——

Q. I was excluding that.

A. Why, most of their complaints are due to ill health, generally, debility and feebleness, and would simply require tonics.

Q. Simply tonics ?

A. Yes, sir.

Q. Have you any other information, other than you derived from the course of study and the year's practice, or have you any special knowledge of the treatment of insane people ?

A. Not practically ; no, sir.

Q. Doctor, I wish you would state again what the rules are of the asylum, and the instructions that you received from Doctor Reed as to the number of visits that you are required to make in the female wards, over which you have immediate charge.

A. My instructions from Doctor Reed were to visit the wards—all of them—twice a day, and to visit them as often as I might think it necessary, and to visit them always when I am specially called or anything of that kind.

Q. How many female wards are there ?

A. Ten.

Q. Doctor, the instructions you have received come from Doctor Reed ?

A. Yes, sir.

Q. Are they printed instructions ?

A. No, sir.

Q. Verbal ?

A. Yes, sir.

Q. Are they the only instructions you received—verbal instructions from Doctor Reed ?

A. Yes, sir.

Q. Doctor, state what these verbal instructions were.

A. I have just already stated them.

Q. You stated them generally. I want to get them more particularly.

A. Well, he never made them——

Q. Generally ?

A. He never particularized anything more than what I said.

Q. That is, he said, go and take charge of the wards and do the best you can ?

A. He didn't say that.

Q. What did he say ?

A. He told me to visit these patients, prescribe for them, and examine their cases carefully.

Q. Was that all, Doctor ?

A. I guess that is all.

Q. Are you sure that is all ?

A. Yes, sir.

By Mr. Graham :

Q. Did he not require you to report to him ?

A. He required that. I don't think he gave me ——

By Major Walker :

Q. You don't think that he gave you any further instructions than to go to work and examine the patients and prescribe for them?

A. Yes, sir.

Q. Are you sure that it is all?

A. Yes, sir.

Q. Did not Doctor Reed impress upon you particularly, and insist on you seeing that the wards were properly policed and kept in clean order?

A. Yes, sir,—the hygienic part of it.

Q. Did he not tell you that?

A. Yes, sir.

Q. He told you that?

A. Yes, sir.

Q. I asked you what your instructions were from Doctor Reed.

A. Yes, sir; I see now—that is it; oh! yes, he told me that.

Q. Did he tell you anything else?

A. He told me all my instructions to attendants.

Q. What did he tell you about the attendants?

A. To see that the attendants properly looked after the patients, and see that the patients were properly taken care of by them, and to see that the wards were kept in perfect order.

Q. Anything else that you think of?

A. I guess that is all.

Q. Didn't Doctor Reed tell you, in so many words, that if satisfactory reports were made to you that any attendant maltreated or abused any patient that you had a right to discharge them?

A. Yes, sir; he told me that.

Q. You don't seem to be positive in regard to what your instructions were?

A. I don't remember all these little things. I remember that he told me that; you asked me, and I will tell you that. I have forgotten those things. I remember he told me that.

Q. It is your duty, as I understand, to see all the attendants attend to their duty.

A. Yes, sir.

Q. What is the duty you require of a female attendant?

A. I require the female attendant to see carefully her patients, to look after them closely, to see if any of them are sick, and if any of them are sick to report it, and to see that they are properly clothed and provided for, that they are very warm, and are kept warm, &c., that they have bedding and beds and all those things, and to see that the attendants keep the wards in good order, and to see that the patients get their meals.

Q. Do you require the attendants to see that the patients are taken out for exercise?

A. Yes, sir; I require that. That is very important. I insist upon that.

Q. About how many patients are in each ward? What will they average in the ward?

A. The number of patients are smaller in some wards. We have perhaps only fourteen or fifteen patients in some of them, and in the more violent wards where the patients are demonstrative, and uneasy, and troublesome, we have as many as twenty-six, twenty-seven, or twenty-eight patients.

Q. Then there being ten wards, and two hundred patients, how many patients would there be for each ward?

A. I think there are about two hundred and twelve patients.

Q. It would average over twenty to a ward?

A. Yes, sir; I have not looked at the exact number.

Q. What is the length of those wards?

A. That I don't know. I would have to guess at that.

Q. Just as near as you can.

A. I think, it seems to me, that the first block is over one hundred feet long, and the second block I think ninety feet, and third block I guess about the same, perhaps longer, I don't know.

Q. How many rooms are there in a ward?

A. I think there are about fourteen or fifteen rooms in a ward.

Q. In each ward?

A. Yes, sir.

Q. How many attendants are there to each ward?

A. Two.

Q. Two attendants?

A. Yes, sir.

By Senator Hart:

Q. Was there a large room that contained a number of cots?

A. Yes, sir.

Q. In the lower wards?

A. Yes, sir.

Q. What should be the parlor in the lower wards?

A. We are so crowded that it is taken up with cots and beds.

By Major Walker:

Q. In addition to the general duties that these attendants in their respective wards have to perform in taking care of the insane people there, from a sanitary point of view looking after their health and comfort, do you not require that they police the wards? I mean that they shall clean and scrub the wards one hundred feet long, and the number of rooms in it that you have spoken of.

A. Yes, sir; we require that.

Q. Do you know what wages the attendants receive—the female attendants in the wards over which you have charge?

A. I think in the better wards they are employed first at fourteen dollars; after they have been there six months they get sixteen dollars. I think in some of the more troublesome wards they are employed at fifteen dollars, and after they have been there six months at seventeen dollars; also at sixteen dollars and raised to eighteen dollars.

Q. What length of time are they required to be there before they receive the maximum wages?

A. Six months.

Q. Well, they have the same duties to perform all the time; it is just the length of time they have to be in the asylum that gives them the increase?

A. No, sir.

Q. What other duties?

A. Because the average official life of an attendant is about two years; we always get the dining-room girl who has the least number of duties to perform as hall girl, and the new attendant who comes in takes her place as dining-room girl.

Q. Why does the institution pay after six months this increased number of dollars?

A. Well, I believe as an encouragement as much as anything else.

Q. There are no additional duties?

A. No, sir.

By Mr. Graham :

Q. They have additional experience ?

A. Yes, sir.

By Major Walker :

Q. The experience they have had there is worth to the asylum more than a green-horn ?

A. Yes, sir.

Q. If that is true that an experienced attendant is worth to the asylum more than a green-horn, why is it you never employ experienced hands here ?

A. That is easy to answer. We don't want gossip and the ways of other asylums introduced into our own.

Q. What and how are you going to if you have your rules and regulations, and have special rules ; how are you going to introduce any of their rules ?

A. We don't want attendants to come here and tell how they treat attendants and patients in other asylums. The doctor is always careful about that ; that is one main reason. It is the main reason he gets new attendants.

Q. What reason is it—why should you object to them ?

A. We think that a person who is employed first as an attendant is apt to be more kind and considerate of the wants of the patients than when he has had experience, and probably has been discharged from some other asylum.

Q. Leaving out the discharge ?

A. It is the same.

Q. At the same time you increase their pay as soon as they get experience ?

A. Yes, sir.

Q. The instructions that you give attendants—are they verbal or printed ?

A. They are now printed. I don't give them now ; I give them a copy of the rules, or the doctor may do it.

Q. There are printed instructions given to attendants ?

A. Yes, sir.

Q. Who do they get them from ?

A. They get them from Doctor Reed ; I see that they get them.

Q. Do you never give them ?

A. Yes, sir ; I give them. Miss Hope has a supply of them, and always furnishes them.

Q. Doctor, if it so happens that any patient in any ward should be maltreated or misused in any way by the attendant, would you know it ?

A. Well, I could not say that. I think it would be almost impossible for that to occur ; as one of our attendants says she struck the patient with the keys, I could not say it could not have occurred.

Q. Then it might have occurred without your knowledge ?

A. Yes, sir ; but I think it next to impossible.

Q. It would not be impossible without some one told you ?

A. I could not see it, but Miss Hope could.

Q. Could she see it ?

A. I think she could.

Q. Is she ubiquitous in every ward at the same time ?

A. She is around so much that abuse could not take place without her knowing it immediately.

Q. Could not abuses take place without her knowing it herself ?

A. I don't think it could.

Q. Could she be in all the wards at the same time?

A. No, sir.

Q. Would she know it unless told by others?

A. She would not know it unless she would be told by others.

Q. Are there any special hours in the female ward for bathing?

A. Well, yes, sir; there are.

Q. State what hour they are bathed.

A. Well, after visiting hours. Visitors are in the building from two to four, and from four, on Friday, until supper time are the bathing hours.

Q. That was on Friday?

A. We have a regular day, and all patients are required to bathe always once a week; and if they are required to bathe oftener than that, they are bathed when it is necessary at that time, be it visiting hour or not.

Q. At the time that Mrs. Seltzer was in the bath-room, and objected to taking a bath on account of the scalding water, was Miss Hope present?

A. I don't know, sir; but I believe that she was in the ward part of the time, at least, during bathing hours in that ward. I deny that water was ever boiled for bathing; that I deny.

Q. I simply want to ask you whether Miss Hope was in the ward at the time that this alleged maltreatment of Mrs. Seltzer occurred?

A. She may not have been in there at that time—the exact time when it was alleged to have occurred.

Q. Doctor, if she was not there at that time could she have heard any scream?

A. Yes, sir; I think she could.

Q. You will have to explain, if she was not in the ward, how she could hear it.

A. Why, you can hear a scream in this ward very easily. I think a patient who screamed very loudly, after being put into hot water, she would be very certain to rush to the place where she heard the scream.

Q. Doctor, any time patients are in the bath-room are the doors left open or are they closed?

A. The doors are closed partially, and the attendant is always instructed to be in the bath-room.

Q. Is the door left ajar?

A. Yes, sir.

Q. Do you consider that prudent, where a patient is taking a bath, that you leave the door open, when any of the other patients could go there when they desire?

A. The other patient is kept away by the other attendant, who is getting patients ready to bathe. The one attendant is in the bath-room bathing the patient. The other attendant is in the hall, near the bath-room door, getting the other patient ready.

Q. From the bath-tub to the adjoining ward—how many partitions are there between the bath-room and the next ward?

A. The walls, doors, and everything of that kind. Any person screaming you could hear it, because the windows are always down, of course.

Q. It is a very heavy, stout building?

A. The partitions are thick, but you can hear a scream at the furthest end of the house to the center of the building.

Q. Through the brick walls?

A. Yes, sir.

Q. Can you hear any of these screams?

A. You can hear it very easily.

Q. Any excessive screams?

A. Yes, sir ; or any loud talking.

Q. I didn't observe that when I was there.

A. You may not have noticed it, but such is the ease.

Q. From one end—what is the distance to the other ?

A. About three hundred feet ; but then of course it would not be that far, because Miss Hope would be around the bath-room.

Q. Not in all the bath-rooms ?

A. She would not be going through the wards.

Q. If she was three hundred feet away, with all these intervening partitions, you still think she could hear ?

A. I know she could.

By Mr. Graham :

Q. Do you mean that a sound, for instance a person screaming in the bath-room could be heard from one end of the building to the other, or merely that division ?

A. I mean the entire building of the female wards.

Q. They only extend over one hall ?

A. Yes, sir ; and she would not be three hundred feet away from the bath-room, where the patient would be screaming.

Q. You don't know where she would be ?

A. Not further away than the bath-room in a block next to the center block, and that is ninety feet from the place.

Q. Suppose Miss Hope was in the furthest block, and a person was in the first ward ?

A. She could hear it very easily.

Q. Doctor, state from a medical standpoint, whether prevalence to suicide is an evidence—is it or is it not an evidence of insanity where there are constant and frequent attempts at suicide ?

A. I think it is an evidence of insanity.

Q. What species of insanity do you denominate it ?

A. That phase of insanity comes under the head of suicidal mania or melancholia. Women patients are generally suicidal. That is my experience.

Q. Those that are affected—are they easy or difficult to manage—those that are affected with melancholia ?

A. Some of them are difficult to manage, and some of them not. Now, there is Mrs. Norcross. She was a melancholy patient, and she was hard to manage.

Q. Violent, was she ?

A. Violent, yes, sir. Not violent to others, but desperately determined to commit suicide. There is Mitchell, the same way—not so much so.

Q. What do you denominate Mrs. Norcross ?

A. She has acute melancholia. Mrs. Mitchell has chronic melancholia.

Q. Doctor, you have testified here this morning in regard to Katie Fondelier, that Katie was not put in a dark room for punishment.

A. No, sir.

Q. What was she put there for ?

A. She was put in there—more when she came back—when she was brought back to the hospital, she was brought back in a paroxysm. She was acutely insane, had an acute attack, and was very much excited, noisy, boisterous in manner, and also tearing her clothing, destructive of furniture and clothing, and all window glass. About the window glass, I don't know whether she ever broke any, but she was destructive of furniture. She broke two chairs, and, taking all these things into account, we knew she would escape if she could, and for these reasons we put her in a dark room.

Q. She had escaped?

A. Yes, sir.

Q. Isn't it true she had escaped and been recaptured, and that the purpose of placing her in such confinement was that she could not escape again, and for that reason you placed her in a dark room?

A. No, sir; because we could not keep her in the hall. She was too excitable to be kept in the hall. She had excited all the patients around her.

Q. Why not put her in her own room?

A. Her own room had just an ordinary window, and I was afraid to.

Q. So that you were afraid she would break out the glass and commit suicide?

A. I thought it was best to put her in a dark room where she would be more quiet. I know by putting patients in a dark room that way it has done a good deal of good.

Q. How long would this paroxysm last?

A. It would last three or four weeks.

Q. Would she have paroxysm all the time?

A. Or some other patients six months of a year.

Q. How long did you keep Katie Fondelier in that dark room?

A. She was kept there about that length of time.

Q. Was she not kept there six weeks?

A. She might have been kept there six weeks, but I hardly think that long.

Q. Do we understand that she was kept there only while she had these paroxysms?

A. Yes, sir. After she got better she was placed in the hall. Long before we could take her out of the room entirely we allowed her the freedom of the hall in the evening and after visiting hours, when the attendants could look after them.

Q. Then do we understand that the only complaint was chronic insanity, with a disposition to suicide?

A. Yes, sir.

Q. Was she sick in any way?

A. No, sir; had no sickness at all—not a particle.

Q. You say she remained in the dark room about four weeks?

A. Yes, sir.

Q. Where did she go to from there?

A. To her own room.

Q. In the same ward?

A. Yes, sir.

Q. How long did she remain there?

A. I think she was in her room two weeks, maybe longer. She had got over her excitability.

Q. Did she die in her own room?

A. I think so.

Q. Where did she go from her own room?

A. She was removed to the room across the hall.

Q. Across from her room?

A. Yes, sir; in the meantime she slept in the dark room. I was overlooking that point.

By Mr. Graham:

Q. Had Miss Katie Fondelier any symptom of nymphonic?

A. Oh! most marked and predisposed.

By Major Walker :

Q. She slept in what is known as the dark room ?

A. Yes, sir.

Q. Could not she be kept in her room without liability to escape, without being placed in the dark room so as to prevent her escape ?

A. Not to cut off escape entirely.

Q. Could she escape from her own room easier than she could from the dark room ?

A. Yes, sir.

Q. In what way ?

A. She could escape, as I have seen patients, by taking out windows. The dark room is provided with shutters.

By Senator Hart :

Q. Shutters can be opened and closed at will ?

A. Yes, sir.

By Mr. McKenna :

Q. You say Katie Fondelier slept in what is known as the dark room ?

A. Yes, sir.

By Major Walker :

Q. Where did Katie Fondelier die ?

A. In a room just like her own, but not in her own room.

Q. Where did she die ?

A. On the right hand side of the hall, the second or third room right near it ; I didn't pay any special attention.

Q. Why did she die in that room ?

A. Because it was right close to her room and had a bed in it.

Q. Why did she die there ?

A. Because I didn't find she was sick to take her there.

Q. I asked you if she was sick.

A. She was sick——

Q. You say she was placed in this room because she was sick, physically sick ?

A. Yes, sir ; she complained of sickness that morning.

Q. What was the character of her sickness ?

A. She complained of feeling full inside ; she didn't want anything to eat ; she didn't want to get up ; something of that kind.

Q. How long was that after she was returned ?

A. Four weeks in the dark room, two weeks in her own room—six weeks.

Q. She did not complain of any physical sickness until the morning she died ?

A. Yes, sir.

Q. She didn't complain until six weeks after she escaped ?

A. Yes, sir.

Q. I will ask you how she escaped ; I mean the escape prior to the last time she was brought back——

By Senator Hart :

Q. You can state, Doctor, what information you have in reference to what Katie Fondelier did—where she went to after she escaped ?

A. The second time she escaped, that is, when she was returned, and placed in a dark room, I think she went down to Sewickley, and there she was found in disreputable company, even among darkies, riding around the streets in a wagon with darkies. She was in a hovel with darkies. She was as low in her taste as could be, when she had one of those excitable spells.

Q. How was she returned ?

A. She was brought back on the ears.

Q. By some of the hospital attendants?

A. Yes, sir.

Q. How long was she away from the institution?

A. I think she was away, about, I guess, three days—something like that.

Q. This dark room, that you speak of, was a furnished room, and comfortable, the only difference being that the shutters are kept closed?

A. That is all; just the shutters.

By Mr. Graham:

Q. It is as comfortable in all other respects?

A. Just as comfortable as any other room, except those shutters.

By Senator Hart:

Q. Was there a bed or cot in it?

A. It had a bed. I took the bedstead out, and directed bed clothing to be taken in.

Q. Was that on the floor?

A. She was treated just like the other patients, except to prevent her from taking her life, as she told me she would do, if she had a chance. She was very much disappointed; she was brought back to the hospital. She had a very melancholy disposition.

Q. How could it be you didn't find her before three days?

A. Couldn't find her.

Q. Did she escape unobserved by the attendants?

A. She escaped unobserved; she escaped during tea time. She went through the dust chute. It was just about dark, I believe. At that time we had iron bars placed across the dust chute to prevent escape. She twisted those iron bars, and then she went into the cellar, and from the cellar she escaped outside by a window in the cellar, and was not missed until some time after tea, when they wanted to go out walking, and could not find Katie to go along, and found she was gone. They immediately informed me, and I dispatched messengers after her. The first time she escaped was through a green attendant, she getting the key from the attendant, unlocking the door, and going right out.

By Major Walker:

Q. When did you first discover Katie's physical sickness?

A. That morning.

Q. At what time in the morning?

A. I was called away right after breakfast; that was a little after eight.

Q. Do you know whether Katie then was required by the attendant that morning to get up and dress herself, and go to the wash-room and wash herself?

A. She was required to do that. I don't know whether she was that morning or not.

Q. Was she required to do so that particular morning?

A. All of them are required; I don't whether she was that morning.

Q. Was she required as others were required to get up, go to the wash-room and wash herself, and return to her own room?

A. Yes, sir.

Q. About what hour would that be?

A. That would be about half-past six.

Q. What time of day did Kate Fondolier die?

A. About ten o'clock.

Q. The same forenoon?

A. Yes, sir.

Q. Doctor, you have stated some matters in reference to Mrs. Coulter and Miss Kate Coulter?

A. Yes, sir.

Q. Did you recommend the discharge of Miss Kate Coulter?

A. Yes, sir; I did.

Q. You recommended it to Doctor Reed?

A. Yes, sir.

Q. You are quite sure?

A. I am positive of it.

Q. Do you remember when it was, and what it was for?

A. It was for no particular thing.

Q. You stated that both of these girls were incompetent?

A. Yes, sir; recommended their discharge at the same time—both of them.

Q. When did you discover their incompetency?

A. After Mrs. Coulter had taken charge.

Q. How long had they been there?

A. They had been there four months before I recommended their discharge, (about three weeks before they were discharged,) because Mrs. Coulter had charge of that ward.

Q. Do we understand you that two incompetent people can be placed in charge for over three months before they are discharged?

A. No, sir; they could not be.

Q. Would not that be a very fair inference from your testimony?

A. No, sir; they were surpluses. They were not in the ward, except at meal time; they had just taken charge of the ward.

Q. Miss Kate Coulter was a surplus?

A. Yes, sir.

Q. Did she not assist in the ward?

A. No, sir; because she was not in there to assist much.

Q. Did not the other attendants testify yesterday that she did assist?

A. She was required to do the sweeping in the morning, and the sweeping had to be done over again.

Q. Suppose there is a surplus incompetent, what is your duty?

A. Why, we generally try to dispose of them.

Q. You say that Miss Kate Coulter was there three months, and incompetent, and you was not willing to discharge her?

A. We didn't find it out.

Q. I want to know is it possible for a surplus or an attendant to be there for that length of time, and you not find it out?

A. No, sir; it is not possible, for we find it out sooner.

Q. Then why did you not recommend her discharge?

A. Well, a person likes to—I would not like to have persons come there, and send them right off again, and would hope that, with a little training, they might be competent.

Q. You have expressed such decided things in regard to these ladies as being decidedly unfit, what were you going on to say?

A. I saw her after she was dining-room-girl—that she was totally unfit, and I heard complaints about her.

Q. Did you recommend the discharge of Mrs. Coulter?

A. Not particularly. I recommended the discharge of both of them at the same time.

Q. You recommended their discharge at the same time?

A. Yes, sir.

Q. Why was not Mrs. Coulter discharged? Did you not have the power of discharging?

A. I have the power to discharge. Yes, sir.

Q. Why did you not discharge them?

A. I never discharge a person without first speaking to Doctor Reed about it.

Q. You spoke to the doctor about it?

A. Yes, sir.

Q. Was he satisfied as to their incompetency?

A. Yes, sir.

Q. Then why did you not discharge them?

A. Well, he was not, you might say, altogether satisfied at that time. He just concluded to let them stay on possibly a little while longer.

Q. Contrary to your decision in the matter?

A. It was only a matter of a few days, I guess.

Q. Do we understand by that that you have not the absolute power to discharge?

A. I have the absolute power.

Q. Do you never exercise it?

A. I never have. What I mean is: I would not discharge a girl in the hospital, and not say a word to Doctor Reed about it.

Q. How long after you made the recommendation to Doctor Reed as to the incompetency of these two girls were they discharged?

A. I think that he kept them two weeks—maybe not quite so long.

Q. Ordinarily you will know in twenty-four hours whether a person is competent, or not?

A. I would not.

Q. Then you would not know in that time?

A. No, sir.

Q. Would it require a week?

A. I would have strong suspicions.

Q. They were incompetent for the position they were in?

A. Yes, sir. If a girl is apt, and seems to understand readily, and acquire knowledge of insane people, and always have——

Q. Was Mrs. Coulter assistant?

A. No, sir; I believe she was not.

Q. Then under your strong recommendation they did not discharge her?

A. No, sir; she didn't give us time.

Q. Why not?

A. Why, the Doctor was not altogether satisfied. She went away because she became huffy—because her sister was discharged.

Q. Doctor, you have stated here, in answer to Mr. McKenna, that there never was a bucket of water thrown on Mrs. Norcross?

A. I don't believe there ever was.

Q. Do you know whether it was thrown upon her, or not?

A. I would not know that positively, but with my great facilities for ascertaining or knowing and seeing these patients, I think it would be impossible.

Q. Did you not state to Mr. McKenna in the direct examination that there was a bucket of water thrown on her—then you don't know of your own knowledge of a bucket of water having been thrown on Mrs. Norcross; how would you, if such an occurrence had happened, ascertain that fact?

A. I would ascertain it like I would all other abuses, and know it could not occur in that ward because these attendants as I have said before were kind and humane and would not scald a person by bathing.

Q. Suppose an attendant did this ill-treatment by throwing a bucket of water on Mrs. Norcross, what would be the result?

A. She would be discharged. Of course, I would not have a bucket of water thrown upon her for anything. If that water was thrown, of course it occurred in that way; like all other abuses I don't think it occurred.

Q. I understand you to say you don't know whether a bucket of water was thrown on Mrs. Norcross or not because you didn't see it.

A. I didn't say it.

Q. You could not know it except by being present.

A. Yes, sir; I can't be in the ward all the time.

Q. You were not there at all?

A. I was not there at all.

Q. It is in evidence that you was there and saw the water thrown on Mrs. Norcross.

A. Yes, sir.

Q. Is that true, whether water was thrown upon her? Did you see that done?

A. No, sir; I didn't see that done.

Q. Then, of your own knowledge, you don't know that to be true?

A. No, sir.

Q. That you don't know to be true?

A. No, sir.

Q. I will ask you a question, Doctor, that you can use a little more latitude: If water had been thrown upon Mrs. Norcross would it have been likely to have wet the clothes; would it be likely that they would change the clothing upon her bed?

A. Well, if they did not, and I could possibly find it out I would discharge them.

Q. You say that water was thrown on her?

A. Yes, sir.

Q. What do you know about it?

A. I was told that the woman was dried, as I always directed.

Q. In what way?

A. The use of the towel, as I directed. I have always been very careful about that, and whenever I have directed water to be thrown on a patient of that kind, I have always insisted that the patient be kindly looked after, and not left uncomfortable with wet clothing.

Q. That is your instructions to the attendants?

A. Yes, sir.

Q. Did you know that was done?

A. I was told that was done.

Q. Who told you?

A. Miss Alexander told me.

Q. Miss Alexander told you it was done?

A. Yes, sir.

Q. Doctor, when a strait-jacket is put upon a patient it is for the purpose of confining their arms is it, or if not, just state what it does?

A. Just for the purpose of preventing violence to themselves or violence to others.

Q. Would it confine their arms so that they could do no violence?

A. Yes, sir.

Q. It does not confine their feet?

A. No, sir.

Q. When confined in that way they are allowed to walk, and they are allowed to walk about, and the knots are tied on the side?

A. Tied on the side.

Q. Tied at the side?

A. Yes, sir.

Q. Is that your instruction?

A. Yes, sir.

Q. Always to tie it at the side?

A. Always to tie it at the side.

Q. Would you not often tie it on the back when they were walking around?

A. I never knew of its being done.

Q. If it had been done would you know it?

A. Yes, sir.

Q. Have you so much confidence in the attendants of the female wards that you are sure they would not do it?

A. I have confidence in Miss Hope that she would see to it.

Q. Your confidence would not be so firm as to the attendants as to Miss Hope's looking after?

A. I do not have as much confidence in the attendants as I have in Miss Hope. I look to Miss Hope to see that all restraint is properly applied.

Q. Doctor, are there any female attendants you have no confidence in?

A. No, sir.

Q. Then you have confidence in all?

A. Well, I don't know; they might possibly overlook a matter of that kind until Miss Hope would come along and correct it.

Q. Would Miss Hope discover it?

A. Yes, sir.

Q. Would she then report it to you?

A. Yes, sir.

Q. Suppose she saw a patient who had a knot tied in that way, would she report it to you?

A. Yes, sir.

Q. Then what would be done?

A. If the patients be up and walking about I don't think anything would be done.

Q. Would it not be a violation of your rules?

A. Yes, sir; a violation of the rules.

Q. When you have violated your rules what do you do?

A. Discharge them. In this case where patient was about the hall, and if the knot tied in the back didn't hurt the patient she would not be discharged.

Q. Did you ever discharge an attendant for tying the knot that way?

A. No, sir.

Q. In answer to a question asked by Mr. McKenna, you spoke of a strap what kind of a strap do you refer to—was it a leather strap?

A. It was a leather strap, made out of ducking like that spoken of, which we put across the patient when they are very much excited, to prevent them having too much latitude—that they might possibly hurt themselves.

Q. When you spoke about a strap this morning, did you mean a leather strap?

A. I inferred from the question that it was a leather strap.

Q. Are they allowed to use that in the manner in which you spoke of this morning—to inflict bodily punishment?

A. They are not allowed to do so.

Q. Did you ever know of any attendants striking the patients with keys?

A. Not to my own personal knowledge, only what I read yesterday.

Q. Did you ever hear from others that a patient had been struck with a key?

A. No, sir; never heard of it.

Q. If such a thing would have happened, would it be more than likely that you would have heard of it?

A. Yes, sir; I think I would.

Q. Then if it is not reported to you it is a neglect of some person, would it not be?

A. Yes, sir.

Q. Because it is a violation of your rules?

A. Yes, sir.

Q. The knowledge that you had of Mr. Hopkins was exceeding limited?

A. Very—yes, sir.

Q. He was in the male department, and you had immediate charge of the female department?

A. Yes, sir.

Q. You mentioned of having charge of the male department for some-time.

A. Two weeks at a time during the doctor's absence.

Q. At the time you had charge of the male department for two weeks, who had charge of the female department?

A. I had.

Q. Then you had charge of the entire asylum?

A. Yes, sir.

Q. These answers also apply to Doctor Sevin; he was in the male department, of course?

A. Yes, sir; I saw him every day during the doctor's absence.

Q. The doctor is a German, is he not?

A. Yes, sir.

Q. The periodicals that he had in his room were mostly German, were they not?

A. I think the majority of them were; really very fine ones he had were German.

Q. Did you ever see a history of Germany?

A. Indeed, I don't know anything about it.

Q. Was he, or was he not, a mild kind of insane patient, or was he boisterous?

A. Always very pleasant; very much of a gentleman in every respect.

Q. You stated, Doctor, that there was no person or persons confined in the asylum at Dixmont that was known to be a sane man?

A. Yes, sir.

Q. Your duties confine you almost exclusively to the female department?

A. Yes, sir.

Q. Are there any sane confined in the male department?

A. I have to limit that to the female department.

Q. Doctor, have you an abundant supply of drinking water furnished?

A. Yes, sir.

Q. Is it locked up?

A. Yes, sir.

Q. Then how do the patients get at it?

A. They always get it by asking the attendant.

Q. And the attendants were required to get them the drinking-water?

A. Yes, sir.

Q. Doctor, at night when the patients retire to their rooms, are they locked in?

A. All locked in; yes, sir.

Q. Does the rule of the asylum require that the clothing shall be placed outside?

A. Yes, sir.

Q. The two attendants, unless there is some person sick, also retire?

A. Yes, sir.

Q. Are the doors all closed?

A. Yes, sir.

Q. If it should happen that some person should require, during the night, some water, who would have to get it?

A. The water might be in the room; in such a case they could get it themselves.

Q. Do you allow water in the room?

A. Yes, sir.

Q. Water in what?

A. Glass and pitchers; such patients as we can trust them with.

Q. You are very careful?

A. Yes, sir; a patient who might do harm with the water we do not allow it to them.

Q. Suppose some of them wanted it, how can they get it?

A. By asking for it; by rapping on the door, or calling out.

Q. The attendants being asleep, would they hear it?

A. They would hear it.

By Mr. Graham:

Q. Pretty acute of hearing?

A. Yes, sir.

Q. Was it their duty to attend to all such calls?

A. Yes, sir; I enjoin them particularly to do so.

By Major Walker:

Q. Did you know Mr. Brown?

A. I only knew him by sight.

Q. What was his business?

A. I think he was dining-room attendant.

Q. How long is it since he left here—has he been there when you were there?

A. Oh, yes.

Q. Have you any idea how long ago he left?

A. No, sir; I can't tell.

Q. Was it one or two weeks—one week, or as near as you can recollect?

A. I think he left in the fall of 1879 some time.

Q. Do you know where he is now?

A. I have no idea.

Q. Don't know where he is now?

A. No, sir; never heard of him afterwards.

Q. Did you know a man by the name of Harding?

A. As I did Brown.

Q. When did he leave?

A. He left somewhere near Christmas.

Q. Have you no knowledge as to his whereabouts to the present time?

A. No, sir.

Q. When did you see him last?

A. The last time I saw him when he came to the hospital with Doctor Sevin.

Q. That is the last you have seen of him?

A. Yes, sir.

Q. Has he not been in the hospital since?

A. I don't think he has.

Q. Did he tell you at the hospital that he had received twenty-two dollars for going up to Erie?

A. Not to me, he didn't.

Q. Did he not tell you that in your presence?

A. Not in my presence.

Q. Did you ever hear him say that he went to Erie, up to Erie to get fifty dollars?

A. No, sir; because I never talked to him about it.

Q. How many physicians does it require to sign the certificate for admission to Dixmont Hospital?

A. Two.

Q. Did you ever admit any without two being on the certificate?

A. No way, except by order of the court.

Q. Does an order of the court require two physicians?

A. No, sir.

Q. I am aware two physicians are required.

A. It takes two physicians.

Q. Did you ever admit any person to the asylum, where the law requires two physicians to sign the certificate—has there been any person admitted to the asylum where there has not been two physicians to sign the certificate?

A. Not to my recollection. Where it is necessary, all admissions were required to have two certificates for them.

Q. Have you access to the papers?

A. Yes, sir.

Q. Then you state in all cases there have been two physicians sign the document?

A. Yes, sir.

Q. Doctor, has no certificate, where two physicians are required to sign it, been signed by either of the physicians of Dixmont Hospital?

A. Yes, sir.

By Mr. McKenna:

Q. Why?

A. Because the people are coming from great distances that could not secure the aid of a physician for that purpose, and they called in either a physician who were neighbors to us, or one of us.

Q. What department does the physician belong to that is called?

A. Always to the opposite part of the asylum. If a male patient, I would sign it; if a female patient, Doctor Wylie.

By Senator Hart:

Q. Have you a patient in Dixmont Hospital by the name of Josephine Smith?

A. Yes, sir.

Q. How long has she been there?

A. She has been there ever since I have been there—over four years.

Q. What is her character mentally?

A. Chronic mania.

Q. What is that?

A. Chronic mania.

Q. Is she insane?

A. Yes, sir; she is insane.

Q. Has not effort been made by her friends to secure her release?

A. Yes, sir.

Q. Why is she not released?

A. Because she is not a fit subject to be released.

Q. Why is she not fit?

A. She is too insane, and Doctor Reed would not give his consent, and would not assume the responsibility of advising her release.

Q. Is she a violent patient?

A. Not altogether so; no, sir.

Q. By whom was she committed—by what authority committed?

A. I think she is committed to the institution by the court. Now, of course, we have nothing to do with her discharge. The court could only discharge her.

Q. Then she is retained in the hospital subject to order of the court?

A. Entirely so.

Q. Would the officers of the institution discharge her without an order from the court?

A. No, sir.

By Colonel Small:

Q. Don't you know that Doctor Reed ordered me three years ago to go and ask for the discharge of Josephine, and that she was well?

A. I don't know anything about that.

Q. You don't know that?

A. No, sir.

By Senator Hart:

Q. She is under your immediate charge?

A. Yes, sir.

Q. Control?

A. Yes, sir.

Q. Do you see her every day?

A. Half a dozen times or more.

Q. Do you discover any improvement in her condition?

A. No, sir; there is no improvement, and has not been the past four years.

Q. Is her mental condition about the same as it was when she was committed?

A. Hardly as well as when she was committed.

By Mr. McKenna:

Q. You may say if the Board of Public Charities investigated this case.

A. They were there, and Doctor Luther saw Mrs. Smith, and conversed with her a long time. He was of the same opinion that Doctor Reed was—that she was not a fit subject to be out. He called at the instigation of Colonel Small, to investigate it.

By Mr. McKenna:

Q. You became acquainted with Doctor Sevin in his later years?

A. Yes, sir.

Q. Had he improved somewhat from what he was formerly?

A. Not improved any over what he was when I first knew of him.

Q. How was he regarded there—with respect as to being a patient?

A. He was always regarded as a suicidal patient, and a great many precautions were taken.

Q. You say you had a great deal of confidence in Miss Hope as a supervisoress?

A. Yes, sir.

Q. Have you confidence in her attendants, too?

A. Yes, sir.

Q. State if, although you have still confidence in the attendants, you till consider it necessary to watch them.

A. I still have confidence in my attendants, but we know they are not so apt to see these little things as Miss Hope. I have greater confidence in her.

Q. Why is that?

A. Because Miss Hope has been there a long time; she is more apt to see the discrepaney.

Q. Is she an intelligent lady?

A. Very—very.

Q. She raised gradually in the institution, did she?

A. She was there in the sewing-room, and then she became attendant, and afterward she was appointed supervisoress.

Q. It was in the nature of civil service reform?

A. Yes, sir.

Q. You may state, Doctor, if, in the female department, the floors and walls are deadened so that the walls would be likely to be transmutable through the hall and wards, or the motion of the vibrations of sound can they be heard in the hall?

A. Yes, sir; I think they can.

Q. Just state with respect to transoms.

A. The transoms are open, and also those over the bath-room doors.

Q. How is it with the doors leading from one ward to the other?

A. The transoms are very often out; they are always out.

Q. What part of the ward do the attendants sleep in—the center or the middle?

A. They sleep in the room nearest the spring-closet, which was pretty nearly to the middle of the hall.

Q. Would a sound—could you state now from experience whether a sound made in a far room could be heard in other rooms of the ward—a scream or anything of that kind?

A. Yes, sir; very easily.

Q. Could there be anything to obstruct the sound in the walls?

A. No, sir.

Q. There would be a clear passage?

A. Yes, sir.

Q. Is there anything else you want to explain, in regard to your duties, while Walker was examining you?

A. No, sir; I have nothing to add.

On motion of Major Walker, committee adjourned to meet at two o'clock, P. M.

And now, to wit, at two o'clock, P. M., committee met. Present: Senator Hart, temporary chairman, Senator McNeill, Representatives Graham and Walker, C. F. McKenna, counsel for respondent, and witness, and the hearing of testimony proceeds.

WILLIAM SHALER ROSS, a witness who appeared before the committee, and being first duly sworn, testified as follows:

By Major Walker:

Q. What is your occupation?

A. Storekeeper.

Q. At Dixmont Institution?

A. Yes, sir.

Q. How long have you occupied that position?

A. About six months.

Q. Were you connected with the hospital in any other position?

A. I have been attendant in my time.

Q. How long have you been connected with the hospital entirely?

A. About four years and seven months.

Q. You were a regular attendant for how long there?

A. Well, about a little over four years.

Q. Are you familiar with all the wards of the house?

A. Yes, sir.

Q. And have had access to all parts?

A. Yes, sir.

Q. Did your duties call you to all parts of the male department?

A. Yes, sir.

Q. I wish you would state now, Mr. Ross, what particular ward you were attendant in first.

A. In the ninth ward.

Q. How long were you in the ninth ward?

A. A little over two years.

Q. How long were you in the second ward?

A. About a year, I guess.

Q. You can state if, in addition to being an attendant, you were called upon to assist the supervisor, Mr. Caldwell.

A. Yes, sir.

Q. You assisted him?

A. Yes, sir.

Q. In his duties?

A. Yes, sir.

Q. Then, as such employé of the hospital, you were familiar with the treatment of the insane?

A. Yes, sir.

Q. I wish you would state now, Mr. Ross, if, during your connection with the institution, you knew or heard of any of these cases of ill-treatment, maltreatment, or abuse to inmates, that have been narrated by several witnesses, among others by our friend, Mr. Hopkins.

A. No, sir; they were never under my charge.

Q. You were awhile assisting Mr. Caldwell in his duties?

A. Yes, sir.

Q. You have knowledge of those things that have transpired in that department?

A. Yes, sir.

Q. I ask you the question whether you ever knew or heard of these alleged abuses or ill-treatment until it came out in this investigation—whether you knew, or if you had, any personal knowledge?

A. No, sir.

Q. Did you ever hear of a thing at all until this testimony came out?

A. Not until Mr. Carroll's case came up. They had an investigation about Mr. Carroll some time ago.

Q. At the hospital?

A. Yes, sir.

Q. That was by the board of managers, was it?

A. Yes, sir.

Q. What was the result of it?

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A. I do not just remember.

Q. Were you present ?

A. No, sir.

Q. So that, with the exception of the alleged ill-treatment of Mr. Carroll, you never heard of any of these troubles until this investigation ?

A. No, sir.

Q. You state now if—among the patients that were in that institution—Doctor Sevin was ever under your care.

A. Yes, sir.

Q. When ?

A. When I was attendant in the second ward for over a year.

Q. For over a year while you was an attendant in the second ward ?

A. Yes, sir.

Q. Just state to the committee what his condition was in regard to comfort and contentment of mind here. Just describe it.

A. Well, he appeared to be always contented in there. He was treated as well as anybody else, if not better, on account of his age. He had no ill-treatment at all.

Q. Had he the same freedom and opportunity to going around as other patients ?

A. Yes, sir.

Q. Given these privileges, was he ?

A. Yes, sir.

Q. State, Mr. Ross, whether he had any illustrated reading matter.

A. Yes, sir.

Q. State what he had.

A. He got a monthly Sunday magazine and a German pamphlet given to him every month.

Q. Did he have any supply outside of this ? Were there no library books and papers there ?

A. Yes, sir ; they have a large library in the ward. Patients had access to them.

Q. Did he have access to them ?

A. Yes, sir.

Q. Do you know whether, in point of fact, he applied himself for any of these books ?

A. I cannot recollect. He generally read his magazine.

Q. Can you state, Mr. Ross, whether he wrote letters, and sent them ?

A. Yes, sir.

Q. How would he send them ?

A. He would often give them to me, and I would take them to the Doctor.

Q. That is to Doctor Reed ?

A. To Doctor Wiley.

Q. I wish you would state what your instructions were in reference to the treatment of patients—patients who became refractory.

A. Why, to use them kindly.

Q. What about the use of force ?

A. We were not allowed to use any more force than was necessary to restrain them.

Q. Were you allowed to hit, kick, or strike them any ?

A. No, sir.

Q. You were not allowed ?

A. No, sir.

Q. What was the penalty ?

A. Why, instant discharge.

Q. From whom did you get your instructions as an attendant ?

A. Mr. Caldwell.

Q. Who was Mr. Caldwell ?

A. The supervisor.

Q. I wish you would state, while you were the attendant or supervisor, how often would Doctor Wiley or Doctor Reed visit the wards and patients ?

A. I do not remember of Doctor Wiley missing going through the wards except when he was away on his two weeks' vacation. I do not remember of him ever missing a day.

Q. You say you do not remember of him missing a day ?

A. No, sir.

Q. Would he usually rush through the ward ?

A. He would generally sit down—chat and talk with them.

Q. What attention do sick patients receive ?

A. Why, receive all that was necessary.

Q. From whom ?

A. Doctor Wiley and the attendants.

Q. Was there any provision about their treatment and attention at night ?

A. Yes, sir ; if a patient was sick we always had an extra attendant at night to care for him.

Q. What was the extra attendant for ?

A. To attend to his wants and give him his medicine.

Q. I wish you would state whether it was part of the system of treatment of the insane to punish them for their deeds ?

A. No, sir ; it was not allowed.

Q. Did you ever know it to be done ?

A. No, sir ; only necessary restraint was used.

Q. Do you know Mr. Frank Boyne ?

A. Yes, sir.

Q. Was he in your ward at the time Doctor Sevin was ?

A. No, sir.

Q. A different ward ?

A. Yes, sir.

Q. You may state, Mr. Ross, if the patients and their attendants ate at the same table ?

A. Yes, sir ; they always did.

Q. State what kind of food, and the quantity they had.

A. Well, the quantity was always more than sufficient ; they never wanted anything.

Q. It was more than sufficient ?

A. Yes, sir ; more than sufficient. The quality as good as anybody wanted. I was there five years and have not heard cause of complaint of food.

Q. Mr. Ross, you remember, and if so, state what the duties of the attendants are with respect to the cleaning of the rooms soiled during the night by patients. What are the duties with regard to them ?

A. To scrub it.

Q. Dry it ?

A. Yes, sir.

Q. Is a patient ever put in a damp room ?

A. No, sir ; all the rooms were inspected every morning by Doctor Wiley and Mr. Caldwell.

Q. You say they were inspected?

A. Yes, sir; every ward and patient was looked over every day.

Q. What check or guard had Mr. Caldwell or Doctor Wiley that the attendants were all on duty and discharging their duty?

A. By observation.

Q. Was there any report made? What I want to know is how would Doctor Wiley and the supervisor of the male department knew of the fact of an attendant being absent from his duty or being on duty?

A. Why, they would miss them. If he would leave the building they were always requested to leave their names in the office.

Q. In the attendant's office, without consulting the doctors?

A. No, sir.

Q. What was the rule about that?

A. They were discharged if they were away without leave.

Q. If they would leave without permission?

A. Yes, sir.

Q. What steps were taken to get permission?

A. Why, generally, to ask Mr. Caldwell or Doctor Wiley if they wanted to get away the next day—ask them in the evening before.

Q. Were they required to give these notices?

A. Yes, sir.

Q. Then they would get leave of absence?

A. From six o'clock in the morning to seven in the evening.

Q. The leave was limited?

A. Yes, sir.

Q. Was there an attendant supplied during that time?

A. Yes, sir.

Q. So that at no time did the patient suffer for want of attention?

A. No, sir.

Q. I wish you would state, Mr. Ross, if you know, about the stores furnished there—what was the duty in reference to the storekeeper, the clothing, etc.?

A. Why, attendants give orders to the supervisors for the clothing needed—socks, underwear, anything of that kind, and he gives it to Doctor Wiley, who writes him out another order, and I furnish them with it, marking their name on it, and then send it to the ward; put it on the books of that patient.

Q. Has every patient in that institution his separate articles marked?

A. Yes, sir. As soon as patients come in I get their clothing, and take an account of what they have, and mark their names on it.

Q. There is an inventory made?

A. Yes, sir.

Q. Is that returned?

A. Yes, sir; all that is not destroyed or worn out.

Q. What are your special duties—you have nothing to do with the supplies?

A. No, sir.

By Major Walker:

Q. What are the duties of the supervisor—you state that you were assistant to Mr. Caldwell?

A. Yes, sir.

Q. What were his duties?

A. His duties were to hire the attendants, and if he neglects his duties to discharge them. Receive the patients from the doctors, put them to the wards; see that the ward was kept clean; everything scrubbed and

cleanly. He went around in the morning with tobacco, and gave them the tobacco, and he would enter their rooms whether under lock and key ; see if the patient was injured or anything of that kind. The attendants were to report if during the night anybody was sick, and then he would go through the ward at dinner time and always at night. At night he would go through.

Q. By the regulations of the asylum is he entitled to assistance ?

A. I could not say that.

Q. Mr. Ross, why were you called upon to assist him ?

A. Well, we both had enough work to do. I presume it was because Mr. Caldwell was unwell.

Q. Because he was sick ?

A. Yes, sir. Still, he went around attending to his duties anyhow.

Q. You remember that was the reason you assisted him—Mr. Caldwell was unwell ?

A. I thought that ; they didn't tell me.

Q. When was the time you were called upon to assist him more especially than at others ?

A. I assisted him generally on Friday and Saturday ; the clothes came up, and we sorted them out, and sent them to the different wards.

Q. You sent them there ?

A. Yes, sir.

Q. You didn't go yourself ?

A. No, sir ; they took them up into the hall.

Q. Your duty to assist Mr. Caldwell was to assort the clothes on Friday and Saturdays, they to take them to the different wards ?

A. Yes, sir ; and I assisted generally.

Q. Are you still in the asylum ?

A. Yes, sir.

Q. During the entire time you have been in the asylum, as storekeeper, have any of the attendants been discharged from the asylum, for maltreating patients in any way ?

A. Yes, sir.

Q. Well, sir, state who it was.

A. It was an attendant named Wilson. Doctor Wiley just happened to open the door, and notice him kicking at a patient. I don't know whether he kicked him or not, but, anyhow, he just told him to go out and get his money, and that is always the rule.

Q. Do you know any other attendant being discharged for abusing a patient ?

A. I cannot just recall now.

Q. Do you know Wilson ?

A. Yes, sir.

Q. How long had he been in the asylum as an attendant ?

A. I suppose about six months, probably seven months.

Q. What ward was he in ?

A. The eighth ward.

Q. What ward were you in ?

A. I think I was in the ninth ward.

Q. You only know this by some one telling you ?

A. They told me that was what it was for.

Q. They told you he was discharged for maltreating a patient ?

A. Yes, sir.

Q. Was that all there was of it—that he kicked at a patient ?

A. Yes, sir. I understood Doetor Wiley just went in, opened the door, and just looked up the hall and saw him.

Q. I ask you, Mr. Ross, did you ever hear the other side of the story of Mr. Wilson?

A. I think he told that he was discharged for that.

Q. Mr. Wilson told you that he was discharged for kicking at a patient?

A. Yes, sir. I think I ask him; and I know this besides, that is his reason.

Q. That Mr. Wilson told you was the reason?

A. Yes, sir.

On motion of Major Walker, adjourned to meet Friday, March 9, A. D. 1883, at nine o'clock, A. M.

And now to wit, Friday, March 9, 1883, committee met pursuant to last adjournment.

Present: Senator Hart, temporary chairman, Senator McNeill, and Representatives Walker, Graham, and McCrum, C. F. McKenna, Esq., of counsel for respondents, and witnesses, and the hearing of testimony proceeds.

WILLIAM HARPER, a witness, who re-appeared before the committee, testified as follows:

By Major Walker:

Q. Mr. Harper, in answer to the interrogatories at Dixmont, before the commission, at which Senator McNeill and Representative Graham were present, do you remember that?

A. Yes, sir.

Q. Do you remember the statements you made at that time?

A. Yes, sir.

Q. Are they all true, every one of them true, as you made them there?

A. Yes, sir.

R. B. PARKS, a witness, who appeared before the committee and being duly sworn, testified as follows:

By Major Walker:

Q. Where do you reside, Mr. Parks?

A. My home is at Whitesburg, Armstrong county, Pennsylvania.

Q. Were you at any time connected with the Dixmont Asylum?

A. I was.

Q. State, Mr. Parks, when you went there, as near as you can recollect.

A. As near as I can recollect I went there in March or April, 1878. I think so. I am not positive about the year.

Q. About what length of time, Mr. Parks, did you remain?

A. Something over a year. I believe I left in July, 1879.

Q. In what capacity were you employed while at Dixmont?

A. For a time I was employed as an attendant in the first ward.

Q. How long did you remain, Mr. Parks, in the first ward?

A. I am not positive about that. I think I was there two or three months, in the first ward, as a regular attendant of that ward.

Q. The duties you performed in the first ward were the duties performed generally by the attendants?

A. Yes, sir; somewhat different, because, being the reception ward—a little different.

Q. That is the first ward patients are taken to?

A. Yes, sir.

Q. Mr. Parks, you were transferred from the first ward to what other ward?

A. My room was always in the first ward.

Q. What particular duty was assigned you after you left the first ward?

A. After I left the—commonly the regular work as an attendant in the first ward, my duty was assisting Mr. Caldwell, and having charge of a gang of workmen outside—on the farm.

Q. Mr. Caldwell was the supervisor of the male ward?

A. Yes, sir.

Q. He has supervision over all the male wards?

A. A general supervision over all the male wards.

Q. Then, as I understand, your duty was to assist Mr. Caldwell?

A. Yes, sir; it was on Fridays and Saturdays I assisted in his office, and then in the evenings on other days, when I came in, and I was kept occupied in some days, when not working outside.

Q. What duties did you assist to perform?

A. The special duty was distributing clothing on Fridays and Saturdays, and summer and fall; marking the new clothing for new patients.

Q. What were the other duties you performed for Mr. Caldwell?

A. I cannot name them positively; sometimes I assisted marking clothing for patients that come in during the day, and generally after supper our work was over, though I usually did something in the ward where I was assigned.

Q. What was the special duty you had to perform when you were out-of-doors with the patients?

A. My special duty was to see that the patients did not escape.

Q. How many patients did you generally have in your charge when you were out-of-doors?

A. There was two of them had charge of them, and some times we have as many as thirty, other times may be not more than ten; I do not think we ever took less than ten.

Q. What was the patients that were under your charge at this time to do. Were they detailed to assist in anything, or what would they do when they were in your charge out-of-doors?

A. They were detailed to work, and help do the work on the farm.

Q. You remember the character of the work that they were detailed to?

A. I can remember that part of the time we were on the bank, digging down the bank above the house there, and carrying it—carting the dirt below.

Q. That is where the dirt had slid down from the action of the frost?

A. I believe so.

Q. Mr. Parks, were those men that you had in your charge, assisting in the labors of the farm, detailed to go there and assist in this work, or was it voluntary on their part; or do you know?

A. Well, in most instances it was voluntary.

Q. Was there any cases in which you compelled them to go there and to assist in the labor of the farm?

A. I believe there were a few.

Q. A few instances where they were—

A. Where it was felt by the physicians and others that work outside would do them good.

Q. Mr. Parks, do you remember a patient that was in the asylum, while you were there, by the name of J. W. Carroll?

A. I do.

Q. I wish you would locate him—what ward was he in?

A. When he first came he was taken to the reception ward.

Q. Were you there when he was brought into the first ward?

A. Yes, sir; I was there.

Q. Just in your own way, Mr. Parks, detail to the committee the mode and manner of his reception when he came there, whether he had the strait-jacket on—his general condition; just tell in your own way.

A. I will tell you to the best of my ability. This is quite a number of years ago; I believe he was given in my charge at the parlor by Doctor Wylie, and I took him into the ward to the bath-room. He had on a strait-jacket made of some kind of cloth; I don't know what it was; it looked to me like ticking.

Q. Who came with him—he had some assistance?

A. I don't know that.

Q. They were not brought into the ward?

A. No, sir; we took him to the bath-room, removed that jacket.

Q. Who was with you?

A. J. W. Black was one of them; I am not positive of the attendants in that ward at that time.

Q. You remember Mr. Black?

A. Yes, sir; I believe so.

Q. Just go on.

A. We took him to the bath-room, removed his clothing; I took his clothes off, and put them in a bundle after bathing him, and carried them to Mr. Caldwell, as I always did in case patients came in. We then proceeded to bathe him, and after bathing him we took him outside—Doctor Wylie told us that he was a dangerous man, or something to that effect, and that we had better watch him.

Q. Mr. Parks, while you were bathing Mr. Carroll did you discover any abrasions upon his back, or side, or any portion of him?

A. I did on his back, I think.

Q. What was the character of them, Mr. Parks?

A. Well, they looked to me like a blister.

By Mr. Graham:

Q. You mean where blisters had been applied?

A. Yes, sir; there was no blisters there at the time.

Q. Did he call your attention to it at the time?

A. I believe he did; he said his side was sore.

Q. Mr. Parks, when bathing patients was it customary to use brushes?

A. Sometimes; when they are dirty we use brushes.

Q. In this particular case, was a brush used?

A. There was.

Q. Mr. Parks, please state whether a brush was used in the cleaning and washing of Mr. Carroll.

A. Yes, sir.

Q. Mr. Parks, state in your own way, to the best of your recollection, as well as you can recollect, the process of washing and scrubbing Mr. Carroll; what he said and done while you were bathing him.

A. Well, on account of the instructions that I received from Doctor Wylie, I heard there in the parlor, I remained while Mr. Carroll was being bathed, while sometimes I didn't do so. I think there at that time, while he was being bathed, he was scrubbed with the brush, and in using the brush he persisted, and said that he was sore all over, and that was about all he said. He didn't want us to use the brush on him; we thought he was dirty and we would use it.

Q. You used it just as you would ordinarily scrub any person?

A. Just as we would ordinarily scrub any person.

Q. State, if you please, Mr. Parks, whether Mr. Harper was present at that time.

A. No, sir; he was not.

Q. He was not present in the bath-room at all?

A. No, sir.

Q. After you had bathed Mr. Carroll and removed him from the bath-room, where did you take him after this?

A. At Dr. Wiley's instructions, we took him to the room directly or nearly opposite to the alcove—opposite to the alcove from the front of the building, I think it was; I am not positive about that—or perhaps he was taken to the room at the corner of the alcove.

Q. It is immaterial—he was taken to some room?

A. Yes, sir; and a man placed to watch him.

Q. Was he dressed in the bath-room before he was taken out of there?

A. I cannot remember that—I cannot answer that question.

Q. Is it customary in the wards where the patient is taking a bath, to come in a naked condition from the bath-room to his room?

A. No, sir; it is not.

Q. Then the probabilities are that he was dressed?

A. The probabilities are that he was dressed.

Q. Mr. Parks, I understand you not to be able to locate exactly where he was taken after leaving the bath-room?

A. I believe he went to a room at the front of the building, at the corner of the alcove.

Q. Mr. Parks, who was placed in charge of him there?

A. I cannot remember who it was—one of the attendants.

Q. Do you know an attendant there by the name of Harper?

A. I did.

Q. Was he an attendant in that ward?

A. No, sir.

Q. What ward was he in?

A. He was in the eighth ward.

Q. How long after Mr. Carroll was brought into the first ward was he removed from that ward—how long did he remain in the first ward?

A. My impression was that he was there about two hours.

Q. Then where was he taken, Mr. Parks?

A. He was taken from that to the eighth ward.

Q. Taken from there to the eighth ward?

A. Yes, sir.

Q. State, if you please, who were the attendants in the eighth ward at that time.

A. Mr. Harper was one of the attendants, and, I believe, Mr. McConnell and Mr. Brown. I think that Mr. Brown was in that ward at that time.

Q. And your duty was as an assistant to the supervisors—you had the entree of all the wards?

A. Yes, sir.

Q. Mr. Parks, I wish you would state here briefly and correctly what occurred in the eighth ward, after Mr. Carroll was taken there.

A. Well, I took Mr. Carroll to the eighth ward, and I left and came back to Mr. Caldwell's office or to the first ward.

Q. Do you remember the room that he was placed in in the eighth ward?

A. I cannot tell anything about that.

Q. In whose charge did you put him when you took him to the eighth ward?

A. I cannot remember that positively ; it would be in charge of the attendants—whoever was present ; I cannot remember who.

Q. When did you see Mr. Carroll next ?

A. I next saw Mr. Carroll when I took some medicine to him.

Q. You had been sent with medicine ?

A. Yes, sir ; Doctor Wylie told me there was medicine at the dispensary, and to take it to him, and I took it to him.

Q. Just narrate, in your own way, what occurred, and just as it did occur.

A. I took that medicine in there and he refused to take it, and the result of it was that Mr. Harper took it to the room opposite where he had been sitting, and there was a scuffle in there—a regular fight.

Q. Who was in the room—just Carroll and Harper ?

A. Carroll and Harper. I believe Mr. Brown was there and the other attendant, whoever he was—I cannot remember who—and myself. I stood there with the medicine-glass in my hand. He had spilt part of the medicine when I went to give it to him.

Q. Just state what was done just exactly as it occurred.

A. When he was taken to that room he was either knocked down or kicked down, I can't remember which.

Q. Do you know who by ?

A. I think by Harper, and I cannot remember that Mr. Carroll tried to fight any—I cannot remember that—I don't believe he did. I believe that he tried to get up after he was knocked down, and in the scuffle his beard was pulled out some—I believe from the right hand side ; I am not positive of that.

Q. Did you succeed in giving him the medicine after he had been abused in the manner in which you spoke of ?

A. He didn't get the medicine.

Q. How long, Mr. Parke, did you remain with Carroll ? Were they maltreating him in that manner when you left ?

A. I believe they stopped it when I left ; I didn't remain to see what they did with him.

Q. When did you see Mr. Carroll next ?

A. I don't know whether I saw him that day or the next day.

Q. Just state what his condition was from the time that you saw him maltreated in this room—any time afterwards—what his condition was from the treatment he received ?

A. I cannot state his condition. I can state what he seemed to be and what he said he was—he was crippling around there, not able to get around—

[Objected to.]

Q. We want to get at now, Mr. Parke, what his condition was after this maltreatment ?

A. His condition after this scuffle, either the same day or the day afterwards, two, or three, or several days afterwards, seemed to be bad ; seemed to be crippled in some way.

Q. Did he make any complaint to you ?

A. He did : yes, sir.

Q. Just state what he said to you in reference to this maltreatment.

A. It was not necessary for Mr. Carroll to tell me a great deal ; he knew that I was there at that time ; at that time he was in this fuss. He complained to me several times about not being able to get around, and being abused at that time. That is all I can remember about that.

Q. Do you remember whether you entered a complaint to Mr. Caldwell Doctor Wylie, or Doctor Reed of this?

A. No, sir; I didn't.

Q. Was you injured in any way?

A. I was at one time—not at that time.

Q. Who by?

A. By a patient named Charles Innman.

Q. Did you have any further conversation with Mr. Carroll in reference to any maltreatment that he alleged to have received while he was in the asylum?

A. Not that I remember of.

Q. You remember no other?

A. I remember no other.

Q. Do you remember, Mr. Parke, of an investigation that was made by the managers of the Dixmont Asylum in reference to this case of Mr. Carroll's?

A. I do.

Q. Were you called upon by any person as a witness?

A. I was.

Q. Who asked you to be a witness in that investigation?

A. Doctor Wylie asked me and Mr. Caldwell asked me, both of them.

Q. Did you appear before the commission?

A. I did.

Q. Was your testimony verbal or written?

A. Written.

Q. Written testimony?

A. Yes, sir.

Q. Was the oath administered to you?

A. No, sir.

Q. No oath administered at all?

A. No, sir.

Q. Do you recollect the contents of the written statement that you made?

A. I can only remember that I exonerated the hospital in every respect.

Q. Mr. Parke, I will ask you the question, did you tell the truth in that, in the statement that you made, did you convey to the managers the actual statement of the affairs that occurred?

A. No, sir; I did not.

By Mr. Graham:

Q. Was Mr. Carroll sane or insane when he made the statement to you?

A. Well, I think he was an insane man.

By Major Walker:

Q. All the time that he was maltreated over there?

A. Yes, sir.

Q. Mr. Parke, you say that you were at one time injured and abused?

A. I was by Charles Innman.

Q. Just state, Mr. Parke, if you please, how that occurred.

A. It occurred while I was a regular attendant in the first ward. It was customary to have the patients assist, as sweeping the ward in the morning, and in the morning at sweeping time I gave the broom to Charles Innman, and asked him to sweep.

Q. Was he a patient?

A. Yes, sir. He refused, and he took the broom in his hands and drew it on me, and swore he would knock my head off, with an oath. I remember I said something to him, I don't remember what it was; he went to the

room with the broom in his hand, muttering; when he went in there I got hold of the broom, and he caught me by the throat, after that, in attempting to reach his throat, I got my thumb in his mouth, and he held me there. I was unable to hollow or to make any noise at all. Finally I got loose in some way or other with my thumb very badly craunched. J. W. Black, the dining-room man came in.

Q. State what was done, if anything.

A. Well, this man Innman was knocked down by —

Q. Who by?

A. By—I am not positive about that. I cannot say.

Q. Was that after your thumb was released?

A. Yes, sir.

Q. You do not know who done that, to the best of your recollection?

A. To the best of my recollection I cannot say who it was.

Q. Was it one of the attendants?

A. It was one of us, either myself or Mr. Black.

Q. Go on, Mr. Parke, and just narrate the whole circumstance that occurred, and when it ended, and what else was done when he was knocked down.

A. Well, he was kicked by Black; my thumb hurt me so I didn't do anything; I went to get some carbolic acid to put my thumb in, or carbolized water to draw the poison out if any was in, but I know that Mr. Black kicked him in the stomach to such an extent I asked him to quit.

Q. You thought he was injuring the man?

A. Yes, sir; I did.

Q. What was the peculiar complaint or malady—if anything—of Charles Innman?

A. I don't know; he always went around very sullenly and had nothing to say to any one.

Q. In your opinion was he partially sane or entirely insane, and demented?

A. Well, I know, of course he was insane; he was not so bad as others—I thought not.

Q. After this occurrence, Mr. Parke, what was done with Innman?

A. He was ordered by Mr. Caldwell to be taken to the eighth ward.

Q. Just state in your own way, Mr. Parke, what occurred in the eighth ward when he was taken there.

A. I don't know; when I took him there I left; as when I took all patients there; gave him in charge of the attendants and left.

Q. Did you hear from him or from any person else, any occurrence that took place there in the eighth ward?

A. I didn't hear about any.

Q. Then you don't know either from hearsay or from your own knowledge, anything that occurred in the eighth ward?

A. Not when I took him there; no, sir.

Q. Did you at any time afterwards? If so, Mr. Parke, just tell what occurred there.

[Objected to.]

By Senator Hart:

Q. Go on and state what you know of your own knowledge in reference to this matter.

A. Well, I went in on the Sabbath; I believe I was bit on Saturday, I think; and on Sabbath day, because I hadn't any duties to perform, (at that time I wasn't doing anything on account of my thumb,) I went over to the eighth ward for some purpose, I don't know what, and the attendants

asked me to let them see my thumb ; I took off the cloth and showed it to them, and this man Harper went up to where Charles Innman was sitting and knocked him down—and the other attendant was—I believe, Mr. McConnell, and continued to knock him down and kick him for some time, until I went in and asked them to quit.

Q. This was in the eighth ward ?

A. Yes, sir ; in the eighth ward.

Q. What was this attendant's name that knocked him down ?

A. Harper, William Harper ; I think the other was McConnell, I am not positive.

Q. What else did you see ?

A. Then I saw nothing else ; I left.

Q. How long was this after he had bit your finger ?

A. I believe that he had bit my finger on Saturday morning ; I am not positive about that ; to the best of my belief.

Q. Proceed with your statement.

A. I believe I have nothing further to say in that respect.

Q. Do you know anything of the treatment of any other patient in that institution ?

A. I would just state this to the committee, that I would rather answer questions, if you would allow me to do so.

By Major Walker :

Q. Mr. Parke, in your own way state, after Mr. Carroll was taken to the eighth ward, whether you know of any misuse or maltreatment that was told you by Mr. Carroll, or by any other attendants or officials of the asylum, while he was in the eighth ward ?

A. Well, I said before, that Mr. Carroll complained to me of being hurt at that time.

Q. He was in the first ward then ?

A. No, sir ; in the eighth.

Q. State what he said.

A. He complained to me ; Mr. Caldwell came to me and complained about Mr. Carroll being hurt, and asked me if I knew anything about it. I told him I did not.

Q. Did Mr. Carroll tell you, or did any of the officials in the eighth ward, that Mr. Carroll was struck by any person in the ward, other than you have narrated ?

A. No, sir ; I don't believe they did.

Q. Mr. Parke, do you know, or did you know, a man by the name of Joseph Weddell ?

A. I did.

Q. Who was Joseph Weddell, in the first place ?

A. He was a man in the eighth ward.

Q. Was he an attendant ?

A. No, sir ; a patient.

Q. Do you know, of your own knowledge, Mr. Parke, of any abuse perpetrated, or any maltreatment of any kind, upon Mr. Joseph Weddell, in the eighth ward ? If so, in your own way state it, in full and in detail.

A. I went into the eighth ward at one time—I cannot remember the day, nor what I went for ; I could not find any of the attendants, and I went into the bath-room, and found them in there in a fight with this man Weddell.

Q. Who were the attendants ?

A. One of them was Harper, and the other one was McConnell, or Brown—I cannot remember—there were three or four of them.

Q. What did they do to Weddell in the bath-room?

A. Well, they abused him very much; they kicked and struck him.

Q. Give us, as near as you can, how they kicked him and struck him, and what it was for.

A. I cannot say what it was for, except that Mr. Harper swore they would make him give up before they would quit him.

Q. Did they have him down on the floor?

A. Sometimes; then he would get up, and they would knock him down again.

Q. Did you say anything in regard to the abuse?

A. I didn't; I did not think it was my business.

Q. Was maltreatment reported to the officials of the asylum?

A. Not that I know of. I don't believe it was reported by any one. I believe not. If it had been, I would have known it.

Q. What would have been the penalty if it had been reported?

A. I believe the penalty would have been that it would have been the discharge of the attendants.

Q. Mr. Parke, did you see the attendants, or any of them, have a bunch or bunches of keys in their hands?

A. I saw Mr. Harper with a bunch of keys.

Q. Did you see Mr. Harper knock down a patient with the keys?

A. I did. Not with the keys; no, sir. I saw him strike the patient with the keys in his hands, but not with the key.

Q. The keys were in his hands when he struck the patient?

A. Yes, sir.

Q. Was the patient struck down?

A. Yes, sir.

Q. What was the provocation of the abuse?

A. I cannot give the name of any particular patient. I cannot do that. It is so long ago, I cannot remember these particular names. Some I can, and others I can't. I will just state that Mr. Harper was a very cruel man—a very cruel attendant, although I don't believe it was known to no one—to the superintendent, nor Doetor Wylie, nor Mr. Caldwell; I don't believe it was known.

Q. How long was Mr. Harper there?

A. I can state that he was finally discharged.

Q. Mr. Parke, do you know of any provocation that Harper would have with a bunch of keys in his hands knocking a patient down?

A. Well, in case he spoke to a patient, and the patient didn't do as he told him at once, he would be likely to be hurt. That would be about the way of it. I have just that to say for Mr. Harper. I could not say anything else.

Q. Mr. Parke, did you ever see any patients choked until it seemed as if it would be impossible for them to recover consciousness?

A. I did.

Q. Could you narrate that, if you please, Mr. Parke, in your own way, and if you can name a patient?

A. I cannot do that—I cannot name a patient.

Q. Whom did you see choke a man until he was apparently unconscious?

A. I saw different ones do that, because it is a custom with nearly—at other, a great many insane asylums to choke refractory patients to make them helpless while they are putting on the strait-jacket.

Q. Did you see Harper do this?

A. I cannot remember Harper particularly—it is rather a common thing.

Q. A very common thing?

A. Yes, sir.

Q. Do you remember the name of any attendant who choked men until they were apparently unconscious?

A. I have seen them down in the eighth ward. I cannot remember the attendants or patients particularly.

Q. Mr. Parke, do you know J. W. Black?

A. I do.

Q. Was he an attendant?

A. He was.

Q. Did you ever see J. W. Black knock a patient down and jump on his breast while in a fit, or did you ever see him knock a patient down and jump on his breast?

A. I did.

Q. What ward was that in, Mr. Parke?

A. In the first ward.

Q. Do you remember who it was?

A. I cannot remember the name of the patient.

Q. Do you remember the provocation?

A. I don't remember the provocation.

Q. Before, you say you saw Black knock one of the patients down and then jump on his breast?

A. I did.

Q. Did he apparently inflict upon the patient serious injury?

A. Apparently he did.

Q. Did you see the patient afterwards?

A. I did.

Q. What seemed to be his condition after this occurrence took place?

A. Well, he seemed to be in rather a low condition. I could not judge what was wrong. I suppose it was from injury to his breast. I do not know of anything else.

Q. Other than this case, that you have narrated here, do you recollect of any other instance of maltreatment?

A. I do not know that I remember of any. No details, no, sir.

Q. Did you know of any patient in this asylum by the name of Doctor Sevin?

A. I did.

Q. In your own way state to the committee what kind of a patient he was, how he conducted himself, and generally, such matters as you may think of interest to this committee.

A. I always understood Dr. Sevin to be a man that was not insane, a man that was very ill-natured, and hard to get along with; that has always been my understanding of Dr. Sevin.

Q. Did he ever make any trouble of any kind to the officials?

A. Well, nothing more than his growling around about his condition.

Q. Did it seem to be a case of melancholia?

A. I cannot remember that at all.

Q. Did you ever consider him to be a suicidal patient?

A. I never saw him doing anything, or heard of him doing anything to make me believe so while I was there.

Q. How long were you in the ward with Dr. Sevin?

A. I was not in the ward with Dr. Sevin.

Q. Your duties were general—in all the wards?

A. Yes, sir.

Q. That ran over the greater portion of the year, as I understand?

A. Yes, sir.

Q. Mr. Parke, having the official position you did, as assistant supervisor, and having the opportunities of visiting wards in the way that you did, knowing what was going on, I wish you would state how often Doctor Reed visited the male wards.

A. I cannot tell you how often.

Q. As near as you can, how often, officially, did Doctor Reed visit the wards, as near as you can recollect?

A. I cannot recollect anything very close; but I don't believe he was in there more than half a dozen times.

Q. During the year you were there?

A. I don't believe he was. I understood that he was sick and wasn't well, and that that was the reason.

Q. How often did Doctor Reed, unofficially, pilot visitors through the ward? How often would he come in that capacity?

A. Not very often.

Q. Very seldom?

A. Very seldom.

Q. So, I understand that Doctor Reed during the time that you was there, to the best of your knowledge, did not visit the wards more than six or seven times?

A. I think not.

Q. Mr. Parke, we spoke about Joseph Weddell, and you narrated what occurred in the bath-room; did Mr. Weddell die while he was an inmate of the asylum?

A. He did.

Q. How long, Mr. Parke, after this occurrence in the bath-room did Joseph Weddell die?

A. I cannot tell.

Q. To the best of your recollection, about how long?

A. I believe it was a month or two months afterwards, something like that. I am not positive. I don't think it was as long as that.

By Senator Hart:

Q. Did you see him after his death?

A. I did.

Q. What was his appearance?

A. Well, he had the appearance of a man that had died from epilepsy, an epileptic fit I thought.

By Mr. McKenna:

Q. I suppose you know whether he was an epileptic or not, and insane from that cause?

A. He was. I understood so.

By Senator Hart:

Q. When did you leave there?

A. I think I left in May or July of 1879. I am not positive about that, because I never took any notice of the date at the time.

By Major Walker:

Q. Mr. Parke, I think you testified here, in reference to Mr. Carroll's case, about his beard being pulled out?

A. Yes, sir.

Q. Who pulled it out, if you know, in whose possession, in whose hands did you see, if in any person's, the beard?

A. I saw the beard in William Harper's hands.

Q. That was at the time of this scrimmage?

A. At the time of this scrimmage in the room.

Q. Mr. Parke, where have you been employed lately?

A. At the West Penn Hospital, in the twelfth ward.

Q. Are you still employed there?

A. No, sir.

Q. When did you leave there?

A. I left last Saturday.

Q. Last Saturday?

A. Yes, sir.

Q. Where did you go to from the West Penn hospital?

A. I went to Cincinnati.

Q. Did you go direct from the hospital to Cincinnati?

A. Yes, sir; I did.

Q. When were you last at Dixmont?

A. Last Saturday morning.

Q. Were you at Dixmont last Saturday morning?

A. Yes, sir.

Q. After you left the West Penn Hospital?

A. I left the West Penn hospital to go down to Dixmont.

Q. What was your object, Mr. Parke, in going to Dixmont?

A. Doctor Wylie believed that I would be—that I would be a valuable witness in his favor. He came up there and asked me to come to town and meet the investigation this week. Doctor Wylie had always been a very good friend of mine, I thought a good deal of him. At that time I could not tell him—didn't have it in my heart; I could not tell him I could not go, and then told Mr. Chess what would be the result of my appearing before that committee, and he advised me to go and tell Doctor Wylie.

Q. Did you go and tell Doctor Wylie?

A. I did.

Q. Go on and tell what you told Doctor Wylie.

A. I told Doctor Wylie just about what I would have to testify to before this committee.

A. Well?

A. And I also told him that I didn't want to appear before it.

Q. Well, what occurred then?

A. I came up to Pittsburgh and went away.

Q. Is that all? Now, Mr. Parke, tell everything, because if you do not, it will necessitate asking a great many questions, which will obviate the necessity if you state all what did occur.

[Objected to.]

Q. Mr. Parke, state what occurred at Dixmont, how you happened to go to Cincinnati, why you left the West Penn Hospital, why you went to Cincinnati, and all the details about it, because I will have to ask you questions if you do not.

A. I would rather answer the questions.

Q. You have told us that you went up to Dixmont at the solicitation of Doctor Wylie—

A. No, I didn't.

By Mr. McKenna:

Q. Mr. Chess?

A. Mr. Chess.

Q. Did Mr. Chess ask you to go up to Dixmont and see Doctor Wylie?

A. He thought it would be advisable, and let him know of the result.

Q. Did you go to Dixmont?

A. I did.

Q. Did you see Doctor Wylie?

A. Yes, sir.

Q. I want to know now what occurred between you and Doctor Wylie in reference to this investigation?

A. I have already stated that I told him that it would not do for me to appear before this committee, that I wasn't a witness in his favor at all.

Q. Was there anything else that occurred between you and Doctor Wylie in reference to this investigation?

A. I told Doctor Wylie I knew nothing derogatory to either him or Doctor Reed; my testimony would be altogether against the attendants, and not against the particular officials of the institution.

Q. Was there anything else occurred in the conversation between you and Doctor Wylie?

A. Well, I told Doctor Wylie that I thought I had better go away for a week. I told him that I would ask Mr. Chess' permission to go off for a week, and get away from this committee. I didn't want to appear before the committee because the Western Pennsylvania Hospital has always been a friend of mine, and I didn't want to appear against it.

Q. What did Doctor Wylie say?

A. Well, he rather thought it would be advisable for me to go.

Q. What else?

A. And I went.

Q. Well, is there anything else now—

By Mr. McKenna:

Q. Was this before you went to Cincinnati, or afterwards?

A. Before.

By Major Walker:

Q. I want to know all that occurred between Mr. Parke and Doctor Wylie before he came back to Pittsburgh on his way to Cincinnati.

A. I told Doctor Wylie that I thought I had better go away for a week, until this investigation was over. I would rather you would go on and ask me any questions you want to; if I have to answer them, all right.

Q. You have to answer them, and you know what I am at, and it will abbreviate the thing.

A. Well, have I got to answer these questions—is it obligatory?

Q. It is. Go ahead, Mr. Parke.

A. I would rather, Mr. Walker, you would ask me any questions, and I will answer them to the best of my ability.

Q. I simply want you, Mr. Parke, to state the conversation—all of it—that occurred between you and Doctor Wylie; of course, I wasn't present, and don't know everything that occurred between you and Doctor Wylie. You have now told that you went there for a particular purpose; you told Doctor Wylie certain things. How did you go away?

A. I came here to Pittsburgh and took the train on the Pan Handle road for Cincinnati.

Q. Did Doctor Wylie furnish you with money to go to Cincinnati?

A. Doctor Wylie gave me some money.

Q. How much money did he give you?

A. He gave me twenty dollars.

Q. What for?

A. To pay my fare to Cincinnati.

Q. Mr. Parke, was there any understanding between Doctor Wylie and yourself as to your assuming a different name than Parke?

A. There was such an understanding; yes, sir.

Q. Just state what it was.

A. The name?

Q. Yes, sir.

A. Bass.

Q. What was the first name?

A. P. Bass.

Q. That was your *nom de plume* after you left here, so you could not be known. Is that the reason?

A. That is the reason, so far as I know.

Q. Mr. Parke, with this understanding you came then to Pittsburgh?

A. Yes, sir.

Q. From Dixmont to Pittsburgh?

A. Yes, sir.

Q. When was that—Monday night?

A. That was Saturday afternoon.

Q. When did you leave Pittsburgh for Cincinnati?

A. The fact of the matter is I cannot tell the time exactly. I was so excited I didn't pay much attention to it; it was on the night train.

Q. Did you go direct to Cincinnati?

A. I did.

Q. After you arrived in Cincinnati, did you notify Doctor Wylie?

A. I did.

Q. In what way?

A. I wrote a letter to him telling him where I was; afterwards I sent a dispatch to him for money.

Q. Before this, Mr. Parke, did Doctor Wylie agree to furnish you employment in Cincinnati?

A. He did.

Q. Did he do so?

A. He did not.

Q. Were your telegrams and letters to Doctor Wylie in reference to that matter?

A. Yes, sir.

Q. You say you telegraphed for more money to Doctor Wylie?

A. I did.

Q. Did Doctor Wylie receive that dispatch of yours, to your knowledge?

A. I don't know about that, (I got an answer,) whether he received it or not.

Q. Did Doctor Wylie send you any more money?

A. I received more money.

Q. Did you receive it from Doctor Wylie?

A. I don't know whether I received it from Doctor Wylie—

Q. State how you received it.

A. I received a telegraphic order for thirty dollars from some man signed "W."

Q. Signed "W?"

A. Yes, sir.

Q. Where was the money order from?

A. From Pittsburgh.

Q. Not from Allegheny?

A. From Pittsburgh.

Q. Then you received money order signed "W?"

A. The money order was signed by Doctor Wylie.

Q. The money order was signed by Doctor Wylie?

A. Yes, sir.

Q. Did you receive a letter from Doctor Wylie while you was there?

A. No, sir.

Q. Did you receive a telegram from Doctor Wylie while you was there?

A. I did.

Q. Had it reference in any way to this investigation?

A. No, sir; it did not.

Q. Had it reference in any way to the money that he had furnished?

A. No, sir; not to the money that he had furnished.

Q. I wish you would look at that telegram, and state whether you received that. [Telegram shown witness.]

A. I did.

Q. You identify this as the dispatch you received?

A. Yes, sir.

By Major Walker:

I now offer the dispatch in evidence, and will read the same:

“PITTSBURGH, PENN'A, *March 7, 1883.*

“To P. BASS, Galt House:

“Sent money by telegraphic order by three, P. M. Stay where you are, as promised.

(Signed,)

W.”

Q. Now, Mr. Bass, or Mr. Parke, when you received this telegram, did you know who it was from—had you reason to believe you knew who it came from?

A. I knew that Doctor Wylie sent that dispatch.

Q. Look at that dispatch and see whether you received that. [Another paper shown to witness.]

A. I did.

By Major Walker:

I offer in evidence the following telegram:

“PITTSBURGH, PENN'A, *March 6.*

“To P. BASS, Galt House:

“Hold the fort. Will write to-night.

“W.”

Q. Mr. Parke, this telegram—who did you consider this came from?

A. I believe it came from Doctor Wylie, because I had telegraphed to him for money.

Q. For more money?

A. I don't remember what the dispatch was—I cannot remember. I believe I told him that I was sick and out of money.

Q. Mr. Parke, you have testified here that you have received a money order—did you?

A. Yes, sir.

Q. Where did you receive that?

A. The notice of it was sent to the hotel where I was stopping.

Q. Was it sent R. P. Parke or Mr. Bass?

A. To P. Bass.

Q. Where did that money come from?

A. It came from Pittsburgh.

Q. Who sent it to you?

A. The money order was signed, I believe, by C. C. Wylie or J. C. Wylie.

Q. Did you get the money on that order?

A. I did.

Q. What day was that, Mr. Parke?

A. Day before yesterday.

Q. Do you know, Mr. Parke, a man by the name of W. E. Marsh?

A. I do.

Q. Where does he reside?

A. Cincinnati.

Q. Whereabouts?

A. The corner of Sixty-first and Maine.

Q. You mean the Galt house, do you?

A. Yes, sir;

Q. Did you receive any communication while you were in Cincinnati from E. W. Marsh—any communication?

A. No, sir.

[Paper handed to witness.]

Q. Look at that and state if you received that.

A. I did.

Q. Whom did you receive that from?

A. Mr. Marsh.

Q. Then you did receive a communication?

A. Yes, sir; I received that; I thought you meant a letter.

Q. Of your own knowledge, Mr. Parke, do you know whether Mr. Marsh, the clerk of the Galt House, had been in communication with Doctor Wylie?

A. I don't know anything about that at all.

Q. Did you ask Mr. Marsh to give you a letter to Mr. Blackburn, the attorney-at-law there?

A. I did not.

Q. How did he happen to give you a letter?

A. I asked Mr. Marsh if he knew a reputable lawyer that I could ask advice of, and he gave me that letter.

Q. Mr. Parke, in your own way, state why you wanted a lawyer.

A. I wanted to see a lawyer, because I was in Cincinnati without any friends and no position.

Q. How could a lawyer help you? Did you expect to get any relief in Cincinnati by consulting a lawyer?

A. When I found I had no position there, I believed that I had been made a fool of, and I wanted to find how about my coming back home.

Q. Mr. Parke, in the admission of patients into the hospital, I wish you would state, when they are admitted into the hospital, whether or not there is any restraint upon patients through fear or otherwise by which they conduct themselves with the utmost propriety, through fear of offending the attendants in any way?

A. There are restraints there, of course, that they fear.

Q. Are they particularly fearful of the attendants that they are going to be abused?

A. Some of them are.

By Mr. McKenna:

Q. Ain't the attendants pretty fearful of some of them part of the time?

A. Yes, sir; yes, indeed, they are.

Q. I understand, Mr. Parks, from what you say in this occurrence that you have described, that so far as Mr. Caldwell, Doctor Wylie, and Doctor Reed are concerned, they were not cognizant of these abuses at all.

A. I believe they were not.

Q. I understood you to say—you may explain more fully what would be the result to the attendants if it had fallen under their observation.

A. Well, I believe they would have been discharged immediately.

Q. Why do you think so?

A. Well, I have known attendants to be discharged for that reason, because of abusing patients.

Q. You occupied the position of assistant supervisor under Mr. Caldwell for some time, didn't you?

A. I occupied the position of assisting him; yes, sir.

Q. You were not assistant supervisor?

A. No, sir; I wasn't the assistant of Mr. Caldwell.

Q. That is as attendant?

A. Yes, sir.

Q. You received the salary of an attendant?

A. Yes, sir; I did.

Q. Would you state that the patients there received proper medical attendance?

A. I believe they did; yes, sir.

Q. You have since been connected with some other institution, have you not?

A. Yes, sir.

Q. State if in your opinion the treatment of the insane at Dixmont—you have had occasion to take patients there again?

A. I had.

Q. Do you remember any particular instance of taking patients there?

A. My father and myself took there a Mr. Luther.

Q. Is that since you severed your connection with Dixmont?

A. Yes, sir.

Q. Have you had experience in other hospitals besides the one you are at present employed in?

A. Yes, sir; I was in the Newburg hospital a while.

Q. Where is that situated?

A. In Ohio.

Q. When did you leave there?

A. I left there—I am not positive about the date—some time last spring a year ago.

Q. From your opportunities of comparison of the medical treatment, care, and attention to patients, what would you say of Dixmont in general?

A. Of the medical treatment I would say, just say while I was there, Mr. Harper, as I stated before. Mr. Harper was a very —— man, but aside from that I don't believe it was any worse than any other institution.

Q. Was it as good as other insane institutions that you have visited?

A. I don't know in what respect you ask.

Q. I mean as to the care and treatment and attention to patients, received in case of their sickness and disease.

A. So far as medical attendance is concerned, yes, sir.

Q. This treatment of Harper and the other attendants—was that exceptional treatment, or was that the rule? Is it exceptional treatment on the part of attendants or behavior of Mr. Harper?

A. This was rather exceptional, yes, sir.

Q. What was the rule and instruction given to you and other attendants, so far as you know, and endeavored to be complied with, in reference to the handling of the insane and the use of force?

A. Our instructions were to use no force or abuse—no force except what was absolutely necessary in protecting our own lives.

Q. The abuses you have described, in answer to Major Walker's questions, was a violation of the rules, was it not?

A. Yes, sir.

Q. That is why you remonstrated?

A. Yes, sir.

Q. As I understand it, the attendants are never allowed to retort, or to strike or abuse patients?

A. They are not; no, sir.

Q. Did you receive those instructions personally?

A. Myself?

Q. Yes, sir.

A. At Dixmont?

Q. Yes, sir; when you went there.

A. I received instructions. In some institutions we have a little book—a little pamphlet. I cannot remember whether they had at Dixmont, or not; I think not; I think I got my instructions from Mr. Caldwell.

Q. Were they in reference to forbearance and humane treatment?

A. Yes, sir; in reference to humane treatment.

Q. If this conduct of Harper's had been reported to his superiors, what would have been the result?

A. I think he would have been discharged at once.

Q. He was, you say, subsequently discharged?

A. He was.

Q. Do you know what for?

A. I believe he was discharged for drunkenness; that is my opinion; I am not positive, I think so; I would not be positive.

Q. Where did he show his intoxication?

A; I think that Mr. McConnell and he went up to the city, on Sabbath day, and came back intoxicated; was seen intoxicated at the gas-house, by Doctor Reed or some of the family.

Q. He was never known to be intoxicated while on duty in the wards, or to come to the house? That is some distance from the premises, the gas-house?

A. Yes, sir; when he came up from that to the hospital.

Q. This man Weddell, that you have described as having a scuffle, was a very large, powerful man?

A. He was, indeed, a very powerful man.

Q. Very muscular?

A. Yes, sir.

Q. Was he a very wild, raving man in his paroxysms?

A. Well, I cannot say about that—I don't know.

Q. Was he what they regarded a cunning, treacherous patient, that would likely strike attendants?

A. Yes, sir; I believe he was. He was a man that it was believed was very hard to subdue, too.

Q. You say that his form of insanity, you understood, was epileptic?

A. I understood it to be so.

Q. From your experience as an attendant, do you know whether that comes on suddenly, without any premonition?

A. Yes, sir; it comes on suddenly.

Q. He subsequently died from that, in a couple of months, as you have described?

A. Yes, sir.

Q. What would be your instructions, Mr. Parke, in reference to witnessing difficulties and abuses of patients to Mr. Caldwell; would it be your duty to report to the supervisor?

A. It was; yes, sir.

Q. In this case, where the man bit your finger, and was knocked down

by the other attendants for it, and choked, did you report that to Doctor Wylie or Mr. Caldwell?

A. I cannot remember about that; I cannot say whether I did or not.

Q. I don't mean the reporting the biting of your finger, but the——

A. The abuse?

Q. Yes, sir.

A. No, sir; I don't think I did.

Q. And your choking the man; I understood you to say that it was absolutely necessary to apply restraint to him, and you would do that when he bit your finger?

A. Yes, sir; he attacked me with a broom.

Q. Was he a more powerful man than you?

A. I don't know but that he was some; I believe he was.

Q. Was he very wild at that time?

A. Yes, sir; he seemed to be.

Q. Had he the broom?

A. Yes, sir; he had the broom.

Q. Did he attack you on that occasion?

A. Yes, sir.

Q. Was he getting the better of you?

A. Yes, sir.

Q. Is it often the case that these men assail attendants?

A. Yes, sir; it is very frequently the case; yes, sir.

Q. Isn't it very hard, from your experience down there, as an attendant, to draw the line between what would be called a necessary force and unnecessary force in applying restraint to refractory and unmanagable patients?

A. I don't exactly understand you.

Q. Is not it a question, very often a very difficult question, to determine what is necessary force in case of the restraining of an insane patient and muscular man?

A. I don't know that it is; when the man is subdued, and that is enough.

Q. But about how much force is necessary to subdue him by the attendants?

A. I think a man could see it.

Q. I am not asking about the continuance of the abuse, nor these abuses; is not it a very delicate matter to see how much force is necessary to subdue a large and physically strong man?

A. Yes, sir; it is hard to tell.

Q. Would not the attendants be honestly mistaken sometimes, as to the amount of force necessary to subdue a strong man?

A. They might; yes, sir.

Q. In reference to this trouble of Black's, you say you could tell what provocation Black had when he struck the man?

A. I cannot remember it. It happened in the alcove, in the front of the building, the front alcove.

Q. Who was the aggressor, and under what circumstances it was given, you can hardly recollect?

A. No, sir, I cannot; however, the fact wasn't reported to either Doctor Wylie or Mr. Caldwell, or any of the other officials.

Q. Mr. Parke, do you know the rule down there, of instructions being given not to apply force or strait-jackets the patients, unless authorized to by medical advice, or if required in emergency, that it be reported to the supervisor?

A. Yes, sir.

Q. There is such a rule as that ?

A. Yes, sir.

Q. Now if an attendant, either through spite or the gratification of his own revenge, would undertake to subject patients to restraints of that kind without reporting it immediately, and without the authority of the physician, what would be the result of it becoming known ?

A. Well, I cannot say that.

Q. Would it be a violation of the rules ?

A. It would be a violation, it certainly would ; yes, sir.

Q. What I mean, Mr. Parke, to be fair to you, is, is there any discretion or authority given to attendants, to judge when it is necessary to restrain patients and keeping it on, and the length of time it is to be kept on, and taking it off ? Who is that discretion vested in—the doctors or attendants ?

A. Well, I would suppose there was a good bit of that authority vested in the attendants.

Q. They do the work, do they ?

A. Yes, sir ; they do the work. I believe they generally ask about putting on the restraint before they do so, but sometimes it is necessary to put that on without asking.

Q. They ask who ?

A. Doctor Wylie or Caldwell.

Q. And if a man takes a sudden paroxysm, and not time to notify the physicians, they then put it on them ; then is it reported to the physician ?

A. Yes, sir.

Q. And then did Doctor Wylie or the superintendent come around ?

A. I believe Doctor Wylie came around as often as it would have been possible for him to do so, from the size of the wards.

Q. How often would that be ?

A. I think Doctor Wylie would be in the ward three or four times every day, sometimes he would not be in more. But as a general thing——

Q. Was Doctor Wylie active and energetic in the discharge of his duties ?

A. He certainly was ; I thought so.

Q. Mr. Parke, I understand you to say that out of kindness to this institution you notified Mr. Chess you had witnessed some of these hardships ?

A. Yes, sir, partly the reason ; it is just partly the reason.

Q. You notified Mr. Chess, who is the superintendent of the West Penn Hospital, or the Twelfth Ward Hospital in this city, then you went down and notified Doctor Wylie you could not be a favorable witness ?

A. I did ; yes, sir.

Q. I understood in your answers to Mr. Walker before that you had made some arrangements with Mr. Chess for a leave of absence ?

A. I had, for a week.

Q. You had determined to go away of your own accord ?

A. I had determined to go away.

Q. Without seeing Doctor Wylie, you had determined to go away ?

A. I had determined to go away on a week's vacation, on a week's leave of absence.

Q. Doctor Wylie subpoenaed you and notified you in good faith to testify in favor of the institution.

A. He did individually ; he came there and thought I would be a favorable witness for them, being able to tell the names of the patients.

Q. I understand, Mr. Parke, that you have no criticism of the management or the medical attendants, or any of the attendants except these special cases ?

A. Yes, sir; the ones I mentioned in particular. The attendants in every institution I have ever been in have been more or less cruel.

Q. Is it possible to conceal that from the supervisors—from the medical authorities?

A. Yes, sir.

Q. And you think in these cases it was concealed?

A. I do, sir; except in Carroll's case. Of course they found out there was some fuss, but whether how badly he was hurt or not, I do not know.

Q. In this case, I understand you helped to conceal it yourself?

A. I did. I didn't want to have an attendant discharged.

Q. You didn't want to have an attendant discharged?

A. Yes, sir.

Q. Were you given to understand when you came there that it would be part of your duty to report the abuses of patients?

A. Yes, sir; that was one of the rules.

Q. And it was indicated, so far as you know, to the other attendants?

A. It was, yes sir; always, I believe.

Q. Had you determined what place you were going to spend your vacation?

A. I thought of going home, or out among some relatives to Manor Station.

Q. Did you desire to get employment in Cincinnati?

A. Yes, sir; I wanted—since I had gone away—the one object then of resigning was, I believed I could get employment at Cincinnati, the reason I quit the West Penn Hospital altogether, and left it.

Q. The arrangement, as I understand, between you and Doctor Wiley was that if you went to Cincinnati he would use his influence to get you employment?

A. Yes, sir; he would have a man there that would give me employment.

Q. An acquaintance of his there?

A. Yes, sir, an acquaintance I believe; I understood it.

Q. Had you any quarrel or ill-feeling with Mr. Harper?

A. I never had an ill word with Mr. Harper in my life.

Q. Never had?

A. No, sir.

Q. You know Mr. Brown, one of the attendants?

A. Yes, sir.

Q. Was he a pretty good attendant while he was there?

A. I am not able to judge about that a powerful man, I know, a very large man.

Q. Were you intimately acquainted with Mr. Caldwell, the supervisor of that ward—were you not?

A. Yes, sir; I was.

Q. What would you say about his treatment of the patients so far as his duties were concerned. Was he a careful and conscientious man in the discharge of his duties?

A. Well, yes; I believe he was in some respects rather—a man who had been there a long time. Of course he got a little hard-hearted, like the rest of us.

Q. Was he attentive to his duties—on hand and regular?

A. Oh, yes; yes, sir.

Q. Did you know Doctor Sevin pretty well?

A. I did. I was very frequently in the second ward.

Q. You were not an attendant in that ward, though?

A. Oh, no.

Q. Just knew him casually?

A. Yes, sir.

Q. Mr. Parke, you have told us how you left Pittsburgh. It might be a matter of interest to supplement your statement, and inform us how you got back here, and when you got back to Pittsburgh.

A. I came this morning.

Q. Did you hear from this committee while you were in Cincinnati?

A. I did not.

Q. Where did you first hear from them?

A. A gentleman called yesterday evening—yesterday some time—yesterday morning; a boy came into the hotel and said Major Blackburn wished to see me; there was a gentleman there.

Q. At what hotel was that at?

A. This was at the Galt House.

Q. This was in Cincinnati?

A. Yes, sir.

Q. Mr. Blackburn was the counsel you had consulted there, was he?

A. Yes, sir.

Q. And then what was that message?

A. That I should come up to his office at once. I went up there, and Mr. Crawford was there.

Q. Who was Mr. Crawford?

A. A gentleman at the end of the table.

Q. Do you know what his business is?

A. I do not.

Q. Did you know whether he is the editor of the *Eric Herald* or not—did he tell you anything about that?

A. He didn't tell me anything.

Q. Do you know where he lives?

A. I do not know where he lives.

Q. Did he tell you that there was a libel suit pending against the *Eric Herald*, and that he was implicated in it?

A. He did not.

Q. You mean to say, Mr. Parke, that you came with him, an entire stranger?

A. I mean to say that he said he was connected with the committee, and came down in answer to the telegram from Mr. Blackburn, or something to that effect.

Q. Just tell us what Mr. Crawford represented himself to be.

A. He didn't represent himself to be anything but Mr. Crawford.

Q. You stated that he said he was connected with the committee.

A. Yes, sir.

Q. Tell us what he said his connection was.

A. He didn't say what his connection was, that he was sent by the committee.

Q. Did he show you any documents?

A. He did not; I didn't ask him to.

Q. Did he come up on the train with you?

A. Yes, sir.

Q. What did he say on the train?

A. In reference to this committee?

Q. Yes, sir.

A. Well, I don't know that he said anything about it; we had very little talk about this matter altogether.

Q. Did he pay your expenses?

A. He did, at my own request; I gave him to understand that I would expect my expenses to be paid.

Q. You had never met Mr. Crawford before?

A. I never had.

Q. Had he no letter introducing him to you or Mr. Blackburn?

A. He did not.

Q. You came voluntarily with him?

A. Yes, sir.

Q. Do you know how Mr. Crawford knew you were there?

A. I cannot tell.

Q. Did he tell you that?

A. He did not.

Q. Did Mr. Blackburn tell you?

A. Tell me how Mr. Crawford knew I was there?

Q. Yes, sir.

A. No, sir; I didn't ask him; I understood it was because of the telegram Mr. Blackburn had sent here to somebody.

Q. Was Mr. Blackburn the member of Congress from that district?

A. Not that I know of.

Q. Did Mr. Crawford hold out any inducement or reward to you?

A. Not anything; not a thing.

Q. Say that you might have to come up to Erie to testify in a libel suit?

A. He did not.

Q. Do you know Mr. Hay, of this city?

A. I do.

Q. Mr. Parke, do you know Mr. Malcolm Hay, of this city?

A. I do.

Q. What hour did you come to Pittsburgh?

A. This morning.

Q. What hour?

A. I think it was about seven o'clock; I would judge so.

Q. Where did you go?

A. I came from that to the St. Charles hotel.

Q. Where did you go then?

A. Went to breakfast.

Q. Whom did you see at breakfast?

A. I saw Mr. Walker, Mr. Crawford, and Mr. Hoever.

Q. At breakfast were they?

A. I took breakfast at the same table.

Q. You were here as their guest, I suppose?

A. I don't know about that; I haven't paid my bill yet, not now.

Q. Have you had any consultation with counsel in Pittsburgh?

A. Sir?

Q. Have you been introduced to any lawyers—any counsel?

A. No, sir.

Q. Has Mr. Crawford brought you in to counsel or introduced you to any?

A. No, sir; not that I know of; if he has introduced me to any lawyers I don't know that.

Q. Had you any consultation with any one about what you were going to testify to, before you came in this morning?

A. Yes, sir; I told them about what I would have to testify to.

Q. Who.

A. I told Mr. Walker and I told Mr. Crawford something about it.

Q. Did you talk to Mr. Crawford on the way here?

A. Not very much; very little.

Q. I mean about Dixmont in general?

A. Yes, sir.

Q. Did he take notes of it?

A. Yes, sir; I believe he did.

Q. But you did not know, you say, that Mr. Crawford was interested in the *Erie Herald*?

A. I had no idea of it all.

Q. Did you know where he was from?

A. I did not know where he was from; in fact, I didn't care where he was from, because I was rather in a peculiar position, I wanted to get back home.

Q. Is your home here?

A. I had been at work in the Twelfth Ward Hospital. My home is in Whitesburg, Armstrong county.

Q. You left Dixmont on good terms with all of them—you were not discharged?

A. I can't say what you call that. I had a little difficulty there on account of my girl, and I was reported as having been talking with the girl down on the board-walk before the building, and the girl was discharged and I gave in my notice; however, I was not allowed to serve out my time.

Q. How is it—you gave in your notice of resignation?

A. Yes, sir.

By Mr. Graham:

Q. You did not tell us clearly why you consulted an attorney in Cincinnati—what purpose you had.

A. Well, I wasn't positive whether that might not give me trouble when I came back, for going away; in fact, I needed a friend, and I calculated a lawyer would be as good a one as I could find.

Q. Did you consult a lawyer in view of bringing suits against any of the officers of the institution—to recover damages from Doctor Wiley or any other persons for failure to comply with the promise made?

A. No, sir; I consulted him merely as a friend, because I told him I had no money to give him and asked him what I had better do. He told me to be a man, and come back.

Q. Did you tell him to telegraph to any parties in Pittsburgh or Allegheny?

A. He asked my leave to do so.

Q. Whom did you tell him?

A. He asked me the names of different parties, and I named Mr. Graham and Mr. Hay.

By Mr. McKenna:

Q. Mr. Malcolm Hay?

A. Yes, sir.

By Mr. Graham:

Q. You understood he telegraphed to one of them?

A. Yes, sir.

By Mr. McKenna:

Q. Did you see the telegram?

A. I saw a copy of one he said he would send; whether he sent it or not I don't know.

By Mr. Graham:

Q. Did you see any reply?

A. I don't know that I did.

Q. Do you know whether he did receive a reply ?

A. Yes, sir ; he did receive a reply.

Q. Do you know what its purport was ?

A. I don't know at all.

Q. You say there has been no inducement held out to you to come here ?

A. No inducement whatever.

Q. Mr. Crawford promised to pay your passage ?

A. I insinuated that I would expect it.

Q. He did so ?

A. Yes, sir.

By Mr. McNeill :

Q. How long had you been in Cincinnati ?

A. I got in Cincinnati Sunday morning, seven o'clock.

Q. You got twenty dollars when you went away and thirty dollars afterwards ?

A. Yes, sir.

Q. You wasn't out of money ?

A. No, sir ; but I didn't think fifty dollars would keep me all my life.

Q. You didn't need to have your passage paid back ?

A. No, sir. I rather insinuated I expected it, though.

Q. Did you offer to render any services ?

A. No, sir ; I intended to render no service whatever.

Q. You don't want us to believe that you expected a stranger to pay your expenses for nothing ?

A. I thought it would be paid by this committee.

By Mr. Graham :

Q. You had an understanding, or express implied that your expenses would be paid ?

A. Yes, sir.

Q. And they were paid ?

A. Yes, sir. I believe Mr. Crawford told me that I could pay my own expenses or they would be paid. I rather insinuated to him I expected him to pay them.

By Mr. Walker :

Q. Did Mr. Crawford insinuate in any way that this committee would pay your expenses ?

A. No, sir ; I don't know that he did ; I rather think not ; I believe that when I went to pay my bill this morning he said I had better not ; that would be attended to.

Q. You were in the asylum at Newberg ?

A. Yes, sir.

Q. How long were you there ?

A. I was there about six weeks.

Q. Did you come from Newberg to Dixmont ?

A. No, sir ; I went to Jackson, Michigan.

Q. Where were you there ?

A. In the penitentiary there.

Q. You came home then ?

A. Then I went to Dixmont Hospital. I would like to state, before I go any further, I wasn't in the penitentiary as a convict.

Q. When were you employed in the West Penn Hospital, in the twelfth ward ? Are you familiar with the rules of the Twelfth Ward Hospital ?

A. I think I am.

Q. Did they ever employ as an attendant, in the Twelfth Ward or at

Dixmont, either of them of which you have been an inmate? You have been connected with both of them.

A. Yes, sir.

Q. Do they ever employ any person who has been officially connected with any other asylum?

A. At West Penn they do.

Q. How is it at Dixmont?

A. I understand they would rather have attendants who had not been employed at other asylums; that was the understanding always.

Q. Mr. Parke, you were speaking about Harper being discharged on account of being intoxicated, when he came to Pittsburgh one Sunday, and returned intoxicated?

A. Yes, sir.

Q. Did you ever know him to be on official duty while he was under the influence of intoxicating drinks?

A. At that time I think Mr. McConnell was discharged at once; I am not sure about it; I think he was discharged either that day or the next morning, and Mr. Harper was likely kept for two or three days longer.

Q. What I desire to know is whether Mr. Harper was intoxicated while on duty.

A. Well, they were; yes, sir; that day.

Q. Were they to your knowledge, either of these parties, or any other attendants, ever intoxicated while on duty?

A. I cannot say that I ever knew of an attendant being intoxicated being on duty.

Q. Mr. Parke, you mentioned that you knew Mr. Brown?

A. Yes, sir.

Q. Was he an attendant?

A. Yes, sir.

Q. Did you ever know of Mr. Brown maltreating patients?

A. Well, when Mr. Brown first went there he seemed to be very tender-hearted; I don't think he did at that time, but afterwards I think he got as cold as the rest; that is the case in that ward.

Q. Do you remember any instances in which he maltreated a patient?

A. Well, no particular one. I think he was connected with the other attendants.

Q. Do you consider that his general conduct towards the patients was kind and humane, or was he rough and brutal?

A. Well, I consider Brown's conduct was rather humane. He told me a couple days after he went there that he would leave on account of the treatment. Said he could not stand it so. I think he wasn't very brutal.

Q. That he couldn't stand the brutal treatment of the patients?

A. Yes, sir.

By Mr. McKenna:

Q. Wasn't it that he couldn't stand the confinement that the situation required?

A. He said, he told me, "Bob, I am going to leave;" I said, "What is the matter?" he said, "I can't stand this cruel treatment." I remember it distinctly; I know him well; he is married to a cousin of mine; it was through me he got the place there.

By Major Walker:

Q. Did you ever, at any time, know Mr. Caldwell, the supervisor, misuse any of the patients?

A. Well, not unnecessarily; no, sir.

Q. You arrived here this morning, you said?

A. Yes, sir.

Q. Where did you first see me this morning?

A. At the breakfast table.

Q. Was I sitting at the table when you came in?

A. You was, I believe so.

Q. Did you come in and seat yourself at my side?

A. One of the waiters showed me to a seat at your side.

Q. After you were seated there, did or did not Mr. Crawford come in?

A. Mr. Crawford came in some time afterwards.

Q. Do you recollect of Mr. Crawford coming into the dining-room and saying something to me before you came in or did you notice that?

A. I didn't notice that.

Q. Did I have a conversation with you at the table?

A. Yes, sir.

Q. Did I not ask you questions similar to what I have asked you here so that I could fortify myself with facts to conduct it in the proper way?

A. Yes, sir.

Q. Did you ever see me before?

A. No, sir.

Q. Did I say to you or intimate in any way whatever that the committee would pay your expenses?

A. You did not.

Q. Did I say anything about the committee at all?

A. No, sir.

Q. Did you see any of the other members of the committee, and have conversation with them?

A. I saw the sergeant-at-arms.

Q. Here [pointing] are two of the committee, and there [pointing] the other one. Have you had any consultation with them?

A. I have not.

Q. Have you had any promise, in any way whatever, from this legislative committee for your appearance here?

A. I have had no promises or no insinuations whatever.

By Mr. McKenna :

Q. Why was it that Mr. Graham wasn't made the recipient of Mr. Blackburn's dispatch?

A. Because I didn't know Mr. Graham's first name; on that account I couldn't—Mr. Blackburn asked me his first name, and I couldn't tell it.

Q. Did you know the other gentleman's first name?

A. Mr. Hay?

Q. Yes, sir.

A. Yes, sir.

Q. Did you know any other of the committee's first name?

A. No, sir; I don't know the name of none of the committee—in fact, I don't know the last name of all.

By Mr. Walker :

Q. Had you reference to Mr. J. L. Graham when you spoke of Mr. Graham?

A. Yes, sir; I had saw it in the paper.

By Mr. McNeill :

Q. When you first visited Mr. Blackburn, did he intimate anything why it might be a good thing to you for him to send the telegraphic dispatches?

A. Oh, no, he intimated nothing of the kind; he intimated they made a d—d fool of me, and I began to think so myself.

By Mr. McKenna :

Q. You didn't lose anything ?

A. I lost a situation, that is all.

Q. I understand you had got fifty dollars ?

A. Yes, sir.

Q. You got there when ?

A. On Sunday.

Q. Got back this morning ?

A. Yes, sir. I want it understood the money matter wasn't troubling me ; it was the situation that was the trouble.

By Mr. Graham :

Q. Didn't you say you had got a week's leave of absence ?

A. Yes, sir ; I was going to Manor Station, and, instead of taking it, I resigned.

By Mr. McKenna :

Q. Did you wait any length of time to know whether you would get the situation or not, as Doctor Wylie said ?

A. He wrote me he would telegraph a man to meet me when I was settled.

By Major Walker :

Q. Did you or did you not, go to Cincinnati at the solicitation of Doctor Wiley ?

A. I did.

Q. Did he, or did he not, promise, if you went to Cincinnati, that he would secure you employment there ?

A. Yes, sir.

By Mr. McKenna :

Q. How do you reconcile that with the statement that you were going to absent yourself voluntarily ?

A. I wasn't going to Cincinnati. I had leave to go away from my employment up there for a week, to keep me from being brought before this committee.

Q. You had made this arrangement before you saw Doctor Wiley ?

A. Yes, sir.

Q. Then you changed that afterwards, thinking you might get a situation in Cincinnati ?

A. I did, yes, sir.

Q. How many days did you wait there, expecting a situation ?

A. I was there Sunday, Monday, Tuesday, and Wednesday.

By Mr. McNeill :

Q. You would not look up a situation on the Sabbath day ?

A. I understood from Doctor Wiley I was to get a position at once.

Q. What day did you visit Mr. Blackburn ?

A. On Wednesday.

Q. That was only two days you had to wait for a situation—Monday and Tuesday ?

A. My understanding was, there was to be no looking out about it. I was to get a situation when Doctor Wiley found out where I was.

By Mr. Graham :

Q. You felt very indignant at not having procured a situation ?

A. I certainly did.

By Mr. McKenna :

Q. Were you sick there ?

A. I was sick, very much excited, nervous, pending what would happen.

Q. Were you sick in bed ?

A. No, sir.

Q. Did you consult a doctor?

A. No, sir; my father is a doctor; I generally take my own prescriptions.

Q. Where does your father reside?

A. Whitesburg, Armstrong county. I will say that I am not healthy, and this matter has just busted me.

By Mr. McKenna:

Q. You are nervous?

A. Yes, sir.

Q. Who paid the lawyer down there?

A. I didn't pay it.

Q. Did Mr. Crawford have an interview with him?

A. Yes, sir; he had an interview with him; I heard him say that he wanted nothing for his trouble.

Q. Do you know what Mr. Crawford went to him for?

A. He came in answer to this dispatch.

Q. When you telegraphed to Mr. Hay, Mr. Crawford came down?

A. Yes, sir.

By Mr. McNeill:

Q. When you were to Mr. Blackburn's office in the first place, what advice did you ask him? Did you tell him about this investigation?

A. I told him the truth—told him about the investigation, and all that. He told me I had acted very foolishly.

By Mr. Hart:

Q. What position was promised you there?

A. Doctor Wiley named some man who was shipping coke from Pittsburgh down there, and said he had a coal elevator there, and said I would get a position.

Q. Did he name the person?

A. I didn't take his name, because I didn't think it was necessary. I expected the man to come to see me. It was not the understanding that I was to see him.

Q. You spoke about Mr. Carroll—who were present at the time you saw Carroll misused?

A. I told you I don't recollect any except Harper and Mr. Brown and myself. There was some other one there—either one or two others.

Q. Did you see any patients there present?

A. Not in that scuffle—no, sir.

Q. What time was this?

A. This was in the evening. I think it was in the evening that he was taken from there in the evening.

Q. Do you remember of his biting the glass and breaking it—biting a tumbler?

A. Since you mention it, I believe there was something like that occurred. I cannot remember the details of it—I haven't thought of it. I believe there was something like that occurred at the time.

Q. Was there another supply of medicine brought to him?

A. I can't tell that; I didn't bring another, that I remember, there.

Q. Was that in a glass that you took there?

A. I can't tell that, because I had forgotten that entirely about the broken glass until you mentioned it. Something like that—I can't tell how it occurred.

Q. You say you believe this was in the evening?

A. I believe it was; I am not positive; I believe it was in the evening.

Q. What gave rise to the scuffle ?

A. Well, he refused to take his medicine, and made some demonstration of some kind.

Q. Who took the first hold of him ?

A. Harper.

Q. Where ?

A. When he sat near the attendant's door.

Q. Where did he take hold of the patient ?

A. I think about the neck somewhere.

Q. Was the patient violent ?

A. No, I didn't consider him violent at that time ; he had been, though—got wild in the first ward.

Q. You say that some one kicked him ?

A. Yes, sir.

Q. Who was that ?

A. Well, there were different ones ; I don't know particularly. Mr. Harper and I don't believe there was any other there who did.

Q. Whereabouts ?

A. Wherever they happened to light ; he was on the floor—kicked him about there on the floor.

Q. What were they endeavoring to do with him ?

A. Well, endeavoring to subdue him.

Q. Were they endeavoring to put a strait-jacket on him ?

A. I believe that was the object.

Q. Was the strait-jacket there ?

A. I don't know whether it was—but believe it was there a muff or strait-jacket.

Q. What part did you take in it ?

A. I didn't take any part at all.

Q. How far were you away from him ?

A. I was right at the door.

Q. Right at the door ?

A. In that door.

Q. They were in the room, were they ?

A. They were in the room.

Q. Was there a bed in the room ?

A. I believe there was a bed of some kind ; whether it was a low bed or one of the high ones I don't remember.

Q. Did you notice whether Carroll had dirtied the room ?

A. I didn't. I don't know whether Carroll had occupied that room before.

Q. Whereabouts was his whiskers pulled out ?

A. Either on the right hand side, [pointing,] or left hand side—there. [pointing.]

Q. How much space was that ?

A. Well, there was—he had quite a heavy beard and there was a few hairs left here, [pointing,] on this side of the jaw ; when they were pulled out they were quite thin.

Q. What did they do with him when they got through ?

A. I left ; I didn't wait to see what they did with him.

Q. How long was you there ?

A. I suppose I was there between five and ten minutes—I suppose I was.

Q. Are you quite sure that you saw no patients there ?

A. I am, quite—now I am quite sure of that matter. I am very posi-

tive I saw no patients there at that time ; that is, I saw no one in the room in the scuffle.

Q. Did Carroll have his clothes on ?

A. I think he did. Yes, sir.

Q. Did you notice whether his clothing was torn ?

A. I don't remember about that ; no, sir.

Q. How soon after this did you see Carroll again ?

A. I think the next time ; I am not positive.

Q. Where did you see him ?

A. In the eighth ward.

Q. Were you talking to him ?

A. I did.

Q. Do you remember the conversation ?

A. I don't remember exactly the conversation ; he complained to me at that time about having been hurt.

Q. Whereabouts ?

A. Well, he complained of his side.

Q. Did he complain of any other part of his body ?

A. Well, not that I remember of ; no, sir.

Q. Did you notice any abrasion about any part of his body that you could see ?

A. Not in his face ; didn't see any further than that ; no, sir.

Q. Did you see any scratches on his neck ?

A. No, sir ; I don't know as I did.

Q. Was he kicked and abused at the time he was washed and bathed ?

A. I believe he wasn't.

Q. When he was first brought into the ward ?

A. I think not—not that I remember.

Q. Well, you participated in it ?

A. I did, sir ; yes, sir.

Q. Would you not likely know if it had occurred ?

A. I would, likely ; if it had occurred, in all probability I would remember it, although it is a number of years ago ; but I made no effort to remember these matters, because I thought there would be occasion of my knowing it. I didn't try it ; in fact I am very sorry in ever knowing it.

By Mr. McNeill :

Q. Were you present when Carroll arrived in the hospital ?

A. I was in the first ward at that time.

Q. You do not know in what condition he was brought there in ?

A. He was brought there in a strait-jacket, as I understand ; he was brought there in the same condition as he was taken in the first ward, with the strait-jacket on him.

Q. You didn't see him in the wagon ?

A. I did not.

By Mr. McKenna :

Q. Did you see him afterwards, before he left ?

A. Oh, yes.

Q. Was he quite vigorous and hearty before he left ?

A. Yes, sir.

A. A robust man ?

A. Yes, sir ; although I would not consider him well.

Q. You mean mentally ?

A. Mentally, I did not consider him well.

Q. Did you see him about Pittsburgh here on this investigation ?

A. I saw him I believe on last Tuesday week ago. The first man I met when I went into the depot was this man Carroll.

Q. You recognized him?

A. I did.

Q. How did he look then?

A. I think he was looking well.

Q. Did he recognize you?

A. Yes, sir.

By Mr. McNeill :

Q. Did he recognize you?

A. Yes, sir.

By Mr. McKenna :

Q. Was he glad to see you?

A. Yes, sir; he mistook me for my brother that had been down there.

By Mr. McNeill :

Q. You spoke of this abuse of Weddle's?

A. Yes, sir.

Q. Did you report that to Mr. Caldwell?

A. No, sir.

Q. Did you know at that time you were violating the rules?

A. I did; yes, sir.

By Mr. Hart :

Q. Did you say anything to Mr. Chess, the superintendent of the West Penn Hospital, about this matter which you know in reference to this case?

A. I told him it would never do for me to go before that committee. He told me he and Doctor Reed were not good friends; and advised me to use my judgment, because he and Doctor Reed were not good friends, and he didn't want Doctor Reed to think he had any hand in this investigation at all—that he wanted to keep entirely away.

By Mr. McKenna :

Q. Do you know James Fleming?

A. I do; I know Mr. Fleming, having attended service at a little town near Dixmont.

Q. At Bellevue or Emsworth?

A. Yes, sir.

Q. Did you ever meet him since this trouble commenced?

A. Not that I know of.

Q. You remember his appearance—a grey beard? Would you recognize him?

A. Not exactly; I think I would recognize him.

Q. Before you spoke to Mr. Chess, were any persons up there to see you about your prospective testimony?

A. Yes, sir.

Q. Who were they?

A. I don't know. I met a man on the street, who asked me if I hadn't been at Dixmont.

Q. Can you describe his general appearance?

A. He had a grey beard and grey whiskers, and dressed in dark clothes; a very nicely dressed man; beard perhaps that long [describing].

Q. Did he resemble your former acquaintance with Mr. Fleming?

A. I don't think it was Mr. Fleming; I don't know; I can't say that, because I don't remember well enough what Mr. Fleming looks like.

Q. Was he the only one that was up there to see you before you spoke to Mr. Chess?

A. Doctor Wiley came up there to tell me to come down.

Q. To come down to Dixmont?

A. Yes, sir.

Q. You say he went there to subpoena you, thinking your testimony would be favorable?

A. He did; I believe he went there and subpoenaed me, thinking my testimony would be favorable.

Q. You told him the truth?

A. I didn't; because Doctor Wylie had always treated me well, and done favors for me, and I could not find it in my heart to tell him it would not.

Q. Did you have the same feeling for Doctor Reed?

A. Well, not so much for Doctor Reed, because I never was so intimately acquainted with Doctor Reed.

Q. Was never any difficulty between you?

A. No sir; I don't know of any.

By Mr. McNeill:

Q. This gentleman you met on the street—did he indicate to you what he would like to have brought out at this investigation?

A. No, sir; he didn't tell me whether he was a member of the committee or friend of Doctor Reed's at all.

Q. Just asked you what you knew about it?

A. Yes, sir; I told him that I wasn't being examined there.

Q. You didn't give him any satisfaction?

A. I gave him no information at all.

Q. He was a stranger to you?

A. He was the only stranger that approached me at all.

Q. Do you know a man by the name of Simington?

A. No, sir; I don't know that I ever knew him.

Q. Did you ever receive any communications in relation to this matter, testifying in this case—any written communications I mean?

A. No, sir; I did not.

Q. I mean other than from the committee?

A. No, sir; I don't know that I did, that I received any written communication from any one.

Q. Did you ever receive any communications while you were at the hospital?

A. No, sir; I did not.

Q. Any anonymous communications?

A. No, sir; I did not.

By Mr. Hart:

Q. I understand you that some person, an inmate, had bit your finger?

A. Yes, sir.

Q. What was his name?

A. Charles Inman.

Q. I understand you to say that you had struck him?

A. I didn't tell you that; no, sir.

By Mr. Graham:

Q. Did you strike him?

A. Well, I don't know that I need to answer that question, I don't think I do.

Q. I think you are.

A. If I have got to answer it, I will answer it.

By Mr. Hart:

Q. Did you?

A. Must I answer the question?

Q. Well, you are asked the question by the committee ; of course you are not bound to answer it if it tends to criminate yourself.

A. If I have got to answer questions here that tends to have me arrested for assault and battery on an insane patient, I don't propose to answer.

Q. Oh, no ; nothing of that kind.

A. I struck him ; yes, sir.

By Mr. Hart :

Q. Was that while he had your finger in his mouth ?

A. Well, I tried very hard to strike him before ; I couldn't succeed in it ; I struck him somewhere and got him to open his mouth partially, and I got my finger out of his mouth partially, and then I struck him once.

Q. Was he standing up ?

A. He was standing up, of course.

Q. Did you knock him down ?

A. I did.

Q. Did any other attendant come in at that time ?

A. Yes, sir ; Mr. Black.

Q. What did he do ?

A. He kicked him in the stomach.

Q. Whereabouts was he ?

A. The man was crunched up in this way [describing] on the floor, without making an effort, and that was the reason I asked Mr. Black to stop kicking him.

Q. At the time Mr. Black kicked him you say you were entirely released from him ?

A. I was at that time.

Q. How close to him was you ?

A. At that time ?

Q. Yes, sir.

A. I wasn't very far away—perhaps three or four feet.

Q. Where did you strike him ?

A. I struck him about the head somewhere.

Q. Why ?

A. Just because I felt like it. I was mad, and had my thumb bit, chewed up ; I thought I would like to get even.

Q. Why did Black kick him ?

A. Because he had bit my thumb. I don't know any other reason. I didn't ask him to do it.

Q. Was that all that was done to him in that ward ?

A. After Mr. Caldwell came in I showed him my thumb, and he ordered him to be taken to the refractory ward.

Q. Did you leave any marks or abrasions on him ?

A. I don't know that I did. I left the institution to have my thumb treated.

Q. Were there any marks visible when Mr. Caldwell came to take him from that ward ?

A. I don't know that there was. I heard nothing about it.

Q. Did that blow cause the flow of any blood ?

A. I don't know that it did ; no, sir.

Q. Did either the blow or kick render him insensible ?

A. In that ward I never saw him sensible.

Q. You know what I mean.

A. Oh, no ; oh, no.

Q. Was he standing up or lying down when he was kicked ?

A. I think he was lying down when he was kicked ; he was lying in a crunched up position on his side.

Q. Had Black boots on or slippers ?

A. He had boots on.

By Mr. Graham :

Q. Did you wear boots when on duty ?

A. Yes, sir ; boots or shoes. I never wore slippers while in the institution. Some of them wore slippers and some of them wore shoes.

By Mr. Hart :

Q. Was the patient in such mental condition that he could indicate to those around him any sense of pain or anything of that kind ?

A. I don't think he was. It was pretty hard to tell what kind of a patient he was, because he never said much—was very quiet and very sullen. I don't believe he ever complained, and I don't believe that he would complain.

Q. How soon after this was he taken from the ward ?

A. I think likely it was a couple of hours afterwards, maybe not that long.

Q. Where did he remain from the time you had struck him until he was removed from the ward ?

A. He remained in the hall. I think that he remained in the hall. I don't think that he was shut up at all.

Q. Did he walk around or sit down ?

A. I cannot say about that, because I was attending to my thumb. I was feeling badly about it.

Q. When he got into the other ward, how soon after he went into that ward did you see him abused there ?

A. I think it was that evening or the next evening.

Q. How come you to go into that ward ?

A. I hadn't anything to do, and I was going away, and come around to see them. I think that is the reason I went in there. I was going away. I got leave of absence until my thumb was better, and I was going around to see the boys. I was going away, and I went in, and they asked me to see my thumb, and I took the cloth off and showed it to them.

Q. Who did you show it to ?

A. The attendants.

Q. Who were they ?

A. Harper was one of them, and I think Brown the other. I can't positively say.

Q. Where was this patient at the time ?

A. He was sitting on the seat on the right hand side as you go into the ward.

Q. How close to where you was ?

A. About as far from here as to where Doctor Wiley is now sitting—about that far.

Q. What was done then ?

A. Well, I have already told you that he was kicked, knocked down and kicked by Harper and the other attendant ; I think it was McConnell. I think McConnell was in there that day, on account of its being the Sabbath.

Q. I understand you to say he was sitting on the seat ?

A. Yes, sir.

Q. Did he continue to remain on the seat after he had been struck and kicked ?

A. No, sir.

- Q. Did they knock him off the seat ?
A. They did ; yes, sir.
Q. What did they do with him then ?
A. They continued to kick him. I have told you this story very mildly now, and don't want to tell it any oftener.
Q. We want you to tell the truth.
A. I have told the truth, and told it as mildly as possible. If you want strong language I can do so.
Q. We want you to tell the truth.
A. Well, I have told the truth, so far as I know it.
Q. You say he was on the floor ?
A. Yes, sir.
Q. Were there any marks upon him ?
A. I did not examine him.
Q. Whereabouts did they strike him ?
A. On the head.
Q. What with ?
A. Their fists.
Q. Whereabouts was he kicked ?
A. He was kicked about the body ; I can't locate exactly ; the side and back.
Q. How many times was he kicked ?
A. Quite a number of times ; and when he got up he was repeatedly knocked down, quite a number of times, when he got up without offering any resistance whatever.
Q. What was done with him after they quit striking him ?
A. I think he was placed on the seat there in the ward ; I think that the boys helped him up on the seat after that ; I didn't see him.
Q. Was he prostrated at the time ?
A. No, I don't think he was.
Q. Did you see him after that occurrence ?
A. No, sir ; I did not. I went away to remain some time, and cannot remember how long ; some weeks.
Q. Did you ask them to strike him ?
A. No, sir ; I told them nothing of the kind : advised them nothing of the kind. But I did ask them to stop, because it was on my account—the first time—he bit me ; and because they was abusing him for biting me, I considered it my duty to stop it, and I did so.
Q. Is that patient still there ?
A. I have understood that he is dead.
By Mr. Graham :
Q. Did he die in the institution ?
A. I don't know that he did. I understood that he died. It is merely hearsay to me. I can't say that the man is dead.
By Mr. Hart :
Q. Never saw him after that time ?
A. Oh, yes, I saw him after that time. When I came back from Manor Station, where I was having my thumb treated, I went into the eighth ward ; and said I, " Charley, do you see what you have done ? " He wasn't well, and he said, " I am sorry for it. " That was the remark he made to me, and I was surprised at it, because I didn't think he had sense enough to have expressed that.
Q. Can you relate any other instance than this you have related, where the attendants have maltreated the patients ?

A. Well, I have seen other cases and have done myse'f, treated patients more severely than was absolutely necessary.

Q. Why?

A. Well, because I was mad and angry; I am not trying to make myself out any more tender-hearted than any one else, but I don't want to get myself into any trouble for what I did.

On motion of Mr. Graham, adjourned until two o'clock, P. M.

And now, to wit, two o'clock, P. M., Friday, March 9, 1883, committee met pursuant to adjournment.

Present: T. J. McCrum, Esq., the chairman, Senators McNeill and Hart, and Representatives Graham and Walker, C. F. McKenna and J. H. Reed for counsel for respondents, and witnesses, and the hearing of testimony proceeds.

R. B. PARKE resumes the stand.

Examination by Mr. McKenna:

Q. Mr. Parke, you made no reflection on Doctor Wylie this morning, but you did not explain your conversation with him in reference to going away; I would like to ask you this: Did Doctor Wylie, or any one, make any proposition to you to testify falsely, or to stay away and testify falsely?

A. No, sir; no such proposition or intimation in any respect.

Q. You left them under the impression at West Penn Hospital——

A. I was at West Penn Hospital when he interviewed me.

Q. And you left him under the impression that you would be a friendly witness?

A. No, sir; I didn't leave him under any such impression. I told him I didn't like to come down before the committee. I told him that I would rather not.

Q. I mean at the West Penn Hospital?

A. That is what I mean. I told him in the parlor of the West Penn Hospital. I told him I didn't want to come down before the committee.

Q. At the West Penn Hospital you were silent about any outrages and cruelties; told him nothing about that?

A. Yes, sir, I was; because I was a friend of Doctor Wylie, and hadn't the heart to do it; I couldn't tell him.

Q. He left you under the impression that if he called you as a witness you would be friendly?

A. Yes, sir; he may have had that impression.

Q. As far as you disclosed anything?

A. He may have; I don't know; I didn't try to leave him that impression at all.

Q. Didn't you conceal the truth?

A. No; I didn't conceal the truth; I didn't tell him just the same as though it was my brother. I had made up my mind I was going to leave and not come before the committee, if it was necessary to do so; I didn't tell him that.

Q. You didn't tell him that at all?

A. No, sir.

Q. Did he subpoena you then?

A. Yes, sir; he gave me a round trip ticket to come down to Dixmont.

Q. The investigation was being held at Dixmont?

A. Yes, sir; the investigation was being held there, so Doctor Wiley told me.

Q. You didn't come down at the time you said you would?

A. No, sir.

Q. You came down——

A. Yes, sir; I went down to tell Doctor Wiley what the result of my appearing before the committee would be.

Q. Who suggested your going away from this committee?

A. I suggested it myself first; I suggested I go off on a week's leave of absence from the West Penn Hospital, and got that promise from Mr. Chess.

Q. Did Mr. Chess know what it was for?

A. Yes, sir, he did. He knew it was to escape being investigated.

Q. Was that to escape being investigated yourself—that you were implicated in some of these things yourself?

A. Partially for myself and more particularly for Doctor Wiley and my situation at the West Penn Hospital.

Q. He had no relation to your employment at the West Penn Hospital?

A. No, sir; not that I know of.

Q. How would it effect you and your relation to West Penn Hospital?

A. These two institutions are under the same management—the same stockholders run the two institutions.

Q. Do I understand that your reluctance to testify was that you had to testify about striking patients, and you were afraid you might lose your situation?

A. Yes, sir.

Q. That you might have lost your situation?

A. Yes, sir; partly, and there was some things; I thought it was best for me not to appear before this committee; I had to make my bread and butter at such work, and I have to look out for my own interest.

Q. You didn't want your reputation injured?

A. No, sir.

Q. In these hospitals?

A. No, sir.

Q. I understand you to make any other reflection on the institution than those you have stated, these particular instances you have stated?

A. No, sir; I make no other.

By Major Walker:

Q. Did Doctor Wiley subpoena you to come to Dixmont?

A. He didn't subpoena me, he asked me to come down as a favor.

Q. Furnished you with transportation?

A. Furnished me with transportation, yes, sir.

By Mr. McKenna:

Q. Who was present at the West Penn interview?

A. No one present; we were in the parlor alone.

Q. You are sure that there was no one else present?

A. Not that I know of.

Q. Was there no gentleman with Doctor Wiley?

A. There was a gentleman, but I don't think he was in the parlor at the time. I think there was a gentleman in the office at the time Doctor Wiley was there, I believe he was in the office, I don't know, I can't say positive.

By Major Walker:

Q. How far is the parlor from the office?

A. It is just across the hall, perhaps eight feet.

Q. A gentleman in the office and you in the parlor, ordinary conversation, could they hear what was said?

A. I don't think they could; they might more than an ordinary conversation.

Q. Was your conversation in an ordinary tone of voice?

A. No, sir; it was not.

Q. Was it boistrous and loud?

A. No, sir; it was rather lower than I am speaking here.

Q. The probabilities are they would not hear it?

A. No, sir.

By Mr. McKenna:

Q. What has been your past occupation in life?

A. School-teacher.

Q. In this county?

A. In Armstrong county.

Q. Have you any other vocation?

A. Not except that, no, sir. That and working in hospitals, that is all.

Q. Have you ever lectured?

A. No, sir.

Q. Have you ever been a detective?

A. No, sir.

Q. Have you ever served in either capacity?

A. No, sir; I didn't.

Q. Mr. Parke, do you see the gentleman in the room here who accompanied Doctor Wiley to the West Penn Hospital the evening you made your statement?

A. I can not recognize him, if he is here now; I don't believe I recognize him; he is a man, I believe, I am not positive, with a black beard.

Q. Were you introduced to him?

A. I don't know; I don't believe I was.

Q. Do you know Mr. Thomas Sample, of the *Leader*?

A. No, sir; I do not.

Mr. THOMAS J. SAMPLE, a witness who appeared before the committee, and being duly sworn, testified as follows:

By Mr. McKenna:

Q. For the information of the committee, to which you are an entire stranger, you may state what your profession is.

A. I am a reporter on the Pittsburgh *Leader*, for some time.

Q. And have been for some time?

A. Yes, sir; for some months.

Q. You have been reporting this investigation for the *Leader*, or been trying to?

A. Yes, sir.

Q. I wish you would state if you visited the West Penn Hospital with Doctor Wiley.

A. I did; this day week ago.

Q. Tell what took place.

A. Doctor Wiley and I went out to West Penn Hospital along about five o'clock, and went into the office; Doctor Wiley started out of the office with the physicians there to look after a gentleman that had formerly been down to Dixmont; he said his name was Parke; I waited there some ten or fifteen minutes, and presently Doctor Wiley and this gentleman came in.

Q. That is this [pointing] gentleman?

A. Yes, sir; this gentleman had no coat on. The physicians and Doctor Wiley talked for a few minutes together, and Doctor Wiley and Mr. Parke stepped across the hall into the parlor; he introduced him to me; we had a few moments' conversation, and finally Doctor Wiley said, "Let us go," and started to go; and he said then, "You will come down to the investigation?" and Mr. Parke said, "Yes, sir;" he said, "You will make the same statement you made before?" and he says, "Yes, sir;" then Doctor Wiley shook hands with him and bid him good bye and started out.

Q. Did he express any reluctance about going before the committee?

A. Not a particle; he was laughing and joking about the matter very pleasantly.

Q. Do you know what statement was referred to?

A. The statement that he made before the executive committee, as I understand the matter.

Q. Of Dixmont Hospital?

A. Yes, sir; in regard to the investigation that had been had about Mr. Carroll, that had been published in the papers two or three years ago.

Q. The statement that he testified to this morning?

A. I read his testimony.

Q. Mr. Parke testified he made the statement before the executive committee; is that the statement he referred to?

A. That is the statement he referred to.

Q. He said he would stand by that?

A. Yes, sir; he said he would make the same statement before this committee; I didn't see any thing out of the way; I thought the whole thing was very pleasant; they were laughing and talking about it.

Q. That was the conversation transpired between you three?

A. Right in the parlor from the office, across the hall; the first part of the interview I didn't see him; I wasn't where Doctor Wiley went to see him; and then he brought him across the hall where there was nobody but us three present; the rest of the physicians had gone down stairs to some other portion of the building.

Q. This was when you were talking, after they left?

A. Yes, sir; and about the time we were going away.

Q. Mr. Chess wasn't there?

A. I didn't see him.

Q. You say there was some physicians of the asylum there?

A. There was three or four; I was introduced to all of them, but I don't recollect their names now—all the gentlemen who came up with Doctor Wiley.

Q. Were they present while this conversation took place?

A. No, sir; there was nobody present except Doctor Wiley, Mr. Parke, and myself.

Q. Mr. Sample, while you are on the stand, I wish to ask you if in your capacity as a newspaper man, for some years passed, have you had occasion to visit Dixmont Hospital frequently?

A. I have been a frequent visitor in the last nine, ten, or eleven years.

Q. You have visited other institutions also?

A. Yes, sir; I have lived in the vicinity of the Harrisburg institution for at least fifteen years.

Q. And you have frequently visited that?

A. Very frequently. I have a sister living within half a mile, and almost every time I go over the mountains at all I go there.

Q. Go on and give us the result of your observations of the treatment of the insane at Dixmont.

A. I, of course, do not profess to be any expert in that business; my observation simply is looking at the conduct of the institutions of that kind and comparing the one with the other, and it seems to me that Dixmont is far superior to any insane institution I have ever been in as day is to night.

Q. Have your visits been formal or informal?

A. Informal at all times. In the morning, afternoon, and night.

Q. Have you been through it at night?

A. Yes, sir; I have been through it as late as twelve o'clock at night—through all the wards.

Q. Have you been in every department of the wards?

A. Yes, sir; I went clear through the wards after twelve o'clock at night.

Q. You may state what the result of your observations was.

A. That was the first night that the committee—this present committee—went to Dixmont. I was preparing some matter for the next day's paper. It was after twelve o'clock, and I made the suggestion myself to Doctor Wylie that, if not incompatible with the rules of the institution, I would like to go through the wards of the hospital after all the inmates had retired. Doctor Wylie replied there was nothing incompatible with the rules of the institution and he would take me through.

Q. Did he go at once?

A. Started right off without one word of warning to anybody and we went clear through the wards.

Q. Did he offer you the keys yourself?

A. Yes, sir; he offered me the keys to go into the rooms to some of the patients, but I was not taking any of that. I didn't care about stirring up an insane man at that time of the night.

Q. Were you in the wards of the institution ever before that?

A. Very frequently; yes, sir.

Q. You have been there at entertainments, exhibitions, etc.?

A. Yes, sir.

Q. And at church?

A. Yes, sir; one of the members of the committee and myself were at church there about a week or so ago.

By Major Walker:

Q. I might ask you just one question. You mentioned that when you and Doctor Wiley were up at the West Penn Hospital Mr. Parke came into the office with his coat off. Were you introduced to him in the office?

A. In the office; and then we walked across the hall into the parlor.

Q. Your testimony would leave the inference it was in the office.

A. No, sir; he came into the office, and we walked across into the parlor.

Q. You were introduced in the office?

A. Yes, sir.

Q. The conversation was a mutual conversation?

A. Yes, sir.

Q. Did you hear it all?

A. Not the first portion of it, if there was any.

Q. Did you hear all that was said in the parlor?

A. All that occurred in the parlor; we were there possibly not over five minutes.

By Mr. Hart:

Q. Was there any statement of his former testimony there shown to him or read to him?

A. No, sir. I had seen it the week before, or possibly that week when there had been meeting at the Monongahela House.

Mr. WILLIAM HARPER, a witness who re-appeared, before the committee testified as follows :

By Mr. McKenna :

Q. We recall you specially in reference to some charges that were made this morning in the testimony. We don't want to go over the whole testimony again. Did you know a patient down there by the name of Charles Inman?

A. I believe I remember a patient of that name. I remember several patients, I believe, by that name.

Q. Were you ever in the ward with Mr. Parke, the gentleman to your right there?

A. Was I ever an attendant with him?

Q. Yes, sir.

A. No, sir; I wasn't.

Q. I wish you would state, Mr. Harper, whether you ever knocked down or abused this man Inman.

A. I never knocked down or abused any man at the hospital.

Q. You are positive of that?

A. Positive.

Q. Mr. Parke says that you and James McConnell knocked down and abused this man Inman.

A. We did not.

Q. Do you remember any particular difficulty that was had with Inman—what kind of a man he was?

A. I don't remember of having any difficulty with him in my ward. I remember of hearing about Mr. Parke and he having a difficulty.

Q. Who?

A. He and Mr. Parke had a difficulty.

Q. You heard of the difficulty?

A. Yes, sir.

Q. Did you and McConnell ever have any fight or scuffle with him at all?

A. No, sir; never.

Q. Do you know a patient—Joseph Weddle—an epileptic patient?

A. Yes, sir; I have turned him over many a time at night.

Q. Mr. Parke charges you and McConnell, and an attendant by the name of Brown, abused Weddle unmercifully in the bath-room.

A. Never abused no one.

Q. Did you ever have any unusual difficulty with him?

A. I don't remember of any special difficulty. Sometimes, in going to bathe him, we would take and pick him up and put him in the bath and let him bathe; he would refuse to go in.

Q. Did you use any unnecessary force?

A. We picked him up and put him in the tub.

Q. Did you ever strike or kick this man, or otherwise abuse this man, and say, "Damn you, I will conquer you?"

A. I am confident I never struck, kicked, or abused any patient.

Q. Did you use that language?

A. No, sir; I am not in the habit of using that language to patients.

Q. I am not asking about your habit to the patients—did you use the language?

A. I did not.

Q. Do you remember anything about Weddle's form of insanity at all?

A. I remember he was what they call an epileptic patient. He would strike a man, but he would not follow you up. He would strike at you,

and if he didn't hit you he would let you go. That is probably all about him.

Q. Mr. Harper, you are charged here with striking and abusing patients whose names Mr. Parke does not give, but does recollect.

A. Probably because he never saw it.

Q. You deny any abuse?

A. I deny any abuse, so far as I was to be concerned, either seeing it or doing it.

Q. Do you know John W. Black, an attendant there, who is in the first ward?

A. I believe I remember a melancholy individual by the name of Black.

Q. Was he in the first ward?

A. Yes, sir.

Q. Did you ever know of him striking, without provocation, abusing, or injuring any patients there?

A. No, sir; I never saw him do it.

Q. Did you ever see a patient choked there unconscious to make helpless so that restraint could be put upon him?

A. No, sir; I never did.

Q. In your ward was it the custom to do so?

A. It was not done in my ward; I never saw it done.

Q. You say you remember a difficulty that Mr. Parke had with Charles Inman.

A. I didn't see it; I remember of hearing of it.

Q. Have you any recollection of the occurrence that Mr. Parke testified here to, that this Inman bit his finger very violently, injuring him, and that yourself and McConnell and some other attendant went immediately and took and knocked down and abused the patient that bit his finger?

A. I remember the occurrence of Mr. Parke having his thumb—I believe it was—bitten. It didn't occur in my ward.

Q. Did he bite his thumb very hard? Were you there?

A. I didn't see his thumb for several days afterwards.

Q. Do you know who bit his thumb?

A. I can't say from my own observation, personally; I heard a patient named Inman bit his thumb.

Q. Did you or any of the others there take part in the attack and abuse of this man Inman for biting Parke's finger?

A. No, sir.

Q. Or any other patient?

A. No, sir.

Q. Did you see Mr. Parke strike Inman or any other patient?

A. No, sir; I never saw him strike Inman or any other patient.

Q. When did you first hear of these alleged injuries to these patients, that Mr. Park describes?

A. I believe it was two or three days afterwards.

Q. That was the time that he got his finger hurt; is that what you refer to?

A. Yes, sir; the time he got his thumb hurt.

Q. It was afterwards?

A. I suppose it was two or three days afterwards.

Q. The question I ask you is when did you first hear that Inman, or Weddle, or any of these people, were knocked down by you, assisted by other attendants?

A. I never hear of that at all until now, at the time of this investigation.

Q. Did Parke ever tell you anything about these injuries, or knocking down, or kicking patients?

A. No, sir; he never did.

Q. Did he ever remonstrate with you for cruelty?

A. Never did.

Q. Or abuse of any kind at all?

A. Never did.

Q. Mr. Parke testified that he stood in the bath-room while you and some other attendants were abusing this man Carroll—kicking, abusing, and striking him.

A. We didn't kick, abuse, or strike him.

Q. You deny that?

A. I deny that most positively.

Q. Who helped you to subdue Mr. Carroll in that paroxysm?

A. Mr. Brown and Mr. McConnell.

Q. They are away from here now, I believe?

A. Yes, sir.

Q. Do you know where?

A. I don't know where Mr. Brown is.

Q. When did they go away?

A. Well, Mr. McConnell went before I went, and Mr. Brown before also.

Q. How many months or years ago was that?

A. Well, it was in the year 1879; I don't remember the month.

Q. Do you remember of Mr. Parke being present at all when Mr. Carroll was being put in the strait-jacket?

A. No, sir; I don't.

Q. Did Mr. Parke ever show his bleeding thumb to you soon afterwards?

A. His bleeding thumb? No, sir; I saw him with his thumb tied up, and asked him with regard to the cause of it, and he said a patient bit him.

Q. Did he show it to you then?

A. He showed to me tied up—his thumb—but didn't show me the wound.

Q. That was a few days afterwards?

A. I believe it was; he didn't say it to have been recently; he said so in a trivial manner; he didn't show me his thumb.

Q. How long was he laid up with that?

A. I don't remember of his being laid up.

Q. You are charged also, Mr. Harper, with having been on duty in the wards—with having been on duty under the influence of liquor.

A. It is a false charge. It never was so.

Q. What would you say about it?

A. I say I never was on duty under the influence of liquor in that ward.

Q. Mr. Parke testified that you and some other of the attendants in charge of Mr. Carroll, in the bath-room or insane room, pulled a portion of his beard out, and showed it to Mr. Parke.

A. Never did, never did.

Q. You say Mr. Parke was not there?

A. Parke wasn't there.

Q. Was, in point of fact, the man's whiskers pulled out by you or any of the other attendants?

A. I never saw his whiskers pulled out. I saw him clutch at his whiskers. I never saw any of his beard pulled out.

By Major Walker:

Q. How long were you in the employ of the hospital?

A. I can't say to the day, but I think it was eight months—somewhere between eight or nine months.

Q. Why was you discharged?

A. I wasn't discharged.

Q. You wasn't discharged?

A. No, sir; I wasn't.

Q. How did you come to leave the hospital?

A. I wanted to leave, and left.

Q. Was there ever any complaint made by the officials of Dixmont Hospital in reference to your being drunk or intoxicated?

A. Never, that was reported to me, anything of the kind.

Q. Were you ever under the influence of liquor, while employed by Dixmont Hospital, on the grounds?

A. Never was.

Q. Was you ever under the influence of liquor at the station?

A. Never was at the station—that is, to be drunk. I might have had a drink in me.

Q. How much had you drank?

A. Well, I suppose I had been up town, and took a drink of whisky when I come up and one when I left.

Q. Do you remember a particuar Sunday that you came up here, and McConnell?

A. I don't remember any particuar Sunday.

Q. Do you remember ever coming up on Sunday?

A. I remember coming up quite frequently.

Q. Do you remember drinking anything that day?

A. Well, I possibly may have done so—got a drink on Sunday.

Q. Are the places open here on Sunday?

A. I would like to see any shut.

Q. You say you wasn't discharged from the asylum?

A. I wasn't.

Q. How did you happen to leave?

A. Left of my own aceord, because I was tired of being there.

Q. Did you send a notice to Doctor Reed?

A. Yes, sir; I signified my desire to leave, and gave him my option to leave in ten days, and then he said I could go.

Q. Did Doctor Wiley or Doctor Reed ever say anything to you about your drinking?

A. Not about my drinking.

Q. About your being intoxicated?

A. No, sir.

Q. Neither of those two gentleman, neither Doctor Reed or Doctor Wiley?

A. Not about being drunk; no, sir.

Q. Did they ever talk to you about drinking?

A. I don't remember an oecasion of them speaking to me about drinking.

Q. Are you positive they never did?

A. I am positive they never did.

Q. You state positively that you never was under the influence of liquor on the grounds of Dixmont Hospital?

A. I never was on the grounds under the influence of liquor; that is, I may have had a drink in me.

Q. I thought you stated just now you took two?

A. Well, I may have taken two, but I didn't feel myself under the influence of liquor.

Q. Were you in the habit of being intoxicated?

A. No, sir.

Q. Have you been intoxicated?

A. Yes, sir.

Q. Did you ever at any time while an inmate of the asylum?

A. I wasn't an inmate, an attendant.

Q. You were never intoxicated while there, at any time?

A. No, sir; I wasn't.

By Mr. Hart:

Q. Were you intimately acquainted with Mr. Parke while he was associated with you in the hospital?

A. I was acquainted with him, but not very intimate with him.

Q. I ask you whether you have conversed with him on the subject of the treatment of the patients in the hospital?

A. I did not.

Q. Where was it he showed you this finger or thumb of his that was mutilated by a patient?

A. I can't just remember exactly where it was he showed me, whether it was when we was out walking in the evening, or whether it was in his ward or mine, I don't remember.

Q. Do you remember of his bringing the medicine and administering to Mr. Carroll, when he first came into the ward?

A. I don't remember of his bringing it.

Q. Your ward was the eighth ward?

A. My ward was the eighth.

Q. Where was it in your ward, that he broke the glass? Where was it—was it in your ward that he broke the glass?

A. Yes, sir; it was in my ward that he broke the glass of medicine.

Q. Who had brought that glass, that you remember?

A. I believe—I don't remember—but believe it was one of the fourth ward attendants. I think it was, I am not certain.

Q. Are you positive that Parke wasn't there?

A. In my ward at the time he took the medicine?

Q. Yes, sir.

A. I don't think he was; I don't think it was Mr. Parke brought it at all.

Q. Was it at that time he went to take the medicine, or some other time, that you was obliged to put the strait-jacket on him?

A. He came in with a pair of muffs on him. No, it was not just at that time we was obliged to put the strait-jacket on him; it was for breaking the glass we put the strait-jacket on him.

Q. Was that after this with reference to the taking of the medicine? When was it that you put the strait-jacket on and had a difficulty with him?

A. Well, we put the strait-jacket on in the morning.

Q. The morning of the same day that he came into your ward?

A. We put the strait-jacket on that evening, and he divested himself of it that night. We washed him and put him in another room, if I remember right.

Q. When was it that the medicine was brought in?

A. It was brought in in the evening first.

Q. The evening of the first day he was there?

A. Yes, sir; in my ward. Then there was a second dose sent in, after biting the side out of the glass. We placed that in a tin; I tasted and he drank it.

Q. Was he violent at that time?

A. Well, he was violent; yes, sir.

Q. Did any scuffle ensue after taking the medicine?

A. Not that I remember after, with regard to taking the medicine.

Q. Well, with regard to anything else?

A. I can't remember his various contortions at the present time.

Q. Who was present at the time this medicine was given?

A. It was James McConnell, Mr. Brown, and myself that I remember of.

By Mr. McKenna:

Q. You said that you are not at all interested in Dixmont now?

A. No, sir.

Q. And have been in other business for some time?

A. Yes, sir.

Mr. WILLIAM CHESSE, a witness who appeared before the committee, being duly sworn, testified as follows:

By Mr. Walker:

Q. Whereabouts do you reside?

A. At the West Penn Hospital.

Q. Are you the general superintendent?

A. Yes, sir.

Q. Have you employed there, within a short time, a gentleman named R. B. Parke?

A. Yes, sir.

Q. In what capacity?

A. As nurse.

Q. Is he still there?

A. No, sir.

Q. How long ago did he leave there?

A. Last Saturday, I think.

Q. Did he leave there upon leave of absence or did he resign?

A. He resigned.

Q. Did he at any time ask you and express a desire for leave of absence?

A. I don't remember that he did; he may have, though; I am not certain about that.

Q. Did he have any conversation with you in reference to appearing before this committee, and that he desired leave of absence to go to his former home, or something similar to that? If so, state what it was.

A. If my recollection serves me right, Mr. Parke said he didn't wish to appear before the committee, and that he would prefer going home for some time, but he finally said, though, that he would quit definitely.

Q. Was that subsequent to this conversation? Did he ask you in his first conversation whether you would extend to him a leave of absence for a week or about a week?

A. I think he did.

Q. What was your reply to him as to whether he could have leave of absence or not?

A. I told him that I thought he could.

Q. In obedience to the permission given to him by yourself as the superintendent, did he go away?

A. He went away on Saturday morning and I understood him to say that he wanted leave of absence, but when he came back on Saturday evening he said that he wanted his money, he was going to quit definitely.

Q. Mr. Chess, did you have any conversation with Mr. Parke with

reference to his going up to Dixmont and consulting with Doctor Wylie?

A. Yes, sir; I did.

Q. Be kind enough to state to the committee what that was.

A. He said that Doctor Wylie had been to see him in regard to appearing before the committee, and he said that he didn't care to appear before the committee.

Q. Give us the whole conversation, Mr. Chess,—what you said to him, and all the conversation.

A. I told him that he had better go and see Doctor Wylie and have some understanding about the matter.

Q. Was there any further conversation, Mr. Chess, in reference to his consultation with Doctor Wylie?

A. Not that I recollect of; nothing, I think, of any importance. When he came back in the office he appeared to be very determined to go.

Q. Before he went up there, in the conversation that you had with him in the West Penn Hospital before he went away, did you say to him or did you not say to him, that he would be a bad witness for the hospital and that he had better go away?

A. No, sir; I never said any such thing.

Q. Did you say he would be a good witness and he had better stay?

A. I didn't say so, for I didn't know what his testimony would be.

Q. Did he say anything about the condition of affairs at Dixmont?

A. He said he didn't think it would help the case at Dixmont any.

Q. Was that the reason that you advised him to see Doctor Wylie?

A. Yes, sir.

Q. This was Saturday morning?

A. Saturday morning.

Q. When did he return?

A. Saturday evening. He appeared to be in a great hurry, and wanted his money.

Q. Had you any conversation with him when he came back?

A. Very little.

Q. What was the subject of his conversation?

A. I don't recollect now.

Q. Did you ask him any questions as to his interview with Doctor Wylie?

A. No, sir.

Q. Did you ask him whether he had been to Dixmont?

A. He told me that he had seen Doctor Wylie that day—that is all I recollect.

Q. When he asked for his money on going away, did you ask him what his reason was for going away so abruptly?

A. I did not.

Q. Did he state any reason?

A. He did not.

Q. Did he say where he was going?

A. He did not.

Q. Without any further interview, you paid him his money and he left?

A. Yes, sir.

By Senator Hart:

Q. How long had he been in the employ of the West Penn Hospital?

A. How long had I?

Q. No, Mr. Parke.

A. Well, three or four months.

Q. Have you had occasion to observe his treatment of patients?

A. Yes, sir.

Q. In what capacity was he employed ?

A. He was employed in the surgical ward, as assistant nurse.

Q. Was he an efficient nurse ?

A. Why, I considered him so.

Q. Had you known him while he was at Dixmont, before he came here ?

A. No, sir ; I never saw him before.

By Mr. McNeill :

Q. Did you know at the time you employed him that he had come from Dixmont ?

A. He wrote me a letter asking for a situation, sometime before he came, and in that letter said he had been an attendant in several institutions, and gave the names of some, amongst which was Dixmont. I believe I have his letter somewhere.

By Mr. Hart :

Q. Did he ever detail to you anything that he saw or done at Dixmont, in relation to the unkind treatment of patients ?

A. Yes, sir ; he did.

Q. What was that ?

A. Well, he said that he saw treatment that he thought was unkind.

Q. Do you remember the name of any patient ?

A. I cannot now fix the name of any.

Q. Do you remember any particular acts that he described, or particular occurrence ? If so, state it.

A. My recollection is that he told me that he saw a patient kicked by some party that he considered cruel.

By Mr. Graham :

Q. Was that before or since the commencement of this investigation ?

A. Since.

Q. He never told you of any treatment before that ?

A. Never had any conversation with him in regard to the matter before.

By Mr. Hart :

Q. Did he ever mention the name of Carroll in connection with it ?

A. I think he did ; I would not be certain, but I think he did. I paid very little attention to it.

Q. Did he ever say anything to you about the statement that he had made in reference to the investigation at the institution before the committee ?

A. Yes, sir ; he did.

Q. When was that ?

A. On Saturday before he left ; the day that he went away.

By Mr. McKenna :

Q. I believe the West Penn Hospital is in the Twelfth ward of Pittsburgh, isn't it ?

A. Yes, sir.

Q. It has no connection with Dixmont at all ?

A. No, sir.

Q. No relation of that kind ?

A. Our hospital is managed by the committee of ten, appointed from the general board of managers.

Q. But their business is separate ?

A. Their business is entirely separate.

Q. No communication between you and Doctor Reed ?

A. No, sir ; not at all.

By Major Walker :

Q. Is not this hospital part and parcel of Dixmont Hospital, under the same management?

A. Under the same general management.

By Mr. Reed:

Q. Belongs to the same corporation?

A. Yes, sir; under the same charter.

By Major Walker:

Q. They keep insane patients there?

A. Insane patients only occasionally.

Q. Don't you, in order to save your charter, always keep one or two there?

A. I don't know that there is any object in keeping them there; we have some insane soldiers there all the time.

By Mr. Reed:

Q. That is under the arrangement with the Soldiers' Home, isn't it?

A. Yes, sir.

Q. I wish you would explain that to the committee.

A. We are bound to take care of all sick and disabled soldiers belonging to Western Pennsylvania, under the arrangement with the Sanitary Commission

By Mr. McKenna:

Q. Do they avail themselves of it?

A. Yes, sir; we have an average of forty soldiers.

By Major Walker:

Q. Do you have insane patients?

A. We have.

Q. All the time?

A. All the time; insane soldiers; they are harmless, to take care of them.

By Mr. McKenna:

Q. Mr. Chess, Mr. Parke testified here, that owing to unpleasant feeling, or supposed unpleasant relations between yourself and Doctor Reed, of Dixmont, that you advised this man Parke to appear before this committee and testify what he knew; that you didn't want him to go away, lest it would be attributed to improper motives. Do you know anything about that?

A. What did you say, sir?

Q. I understand Mr. Parke to state of you this morning that you had advised him to come and testify before this committee what he knew.

A. I never did any such thing.

Q. Sir?

A. I say, positively, I never said any such thing.

Q. Then I will ask you this question: Did you advise him to say, because of your unpleasant relations with Doctor Reed, that he had better see Doctor Wiley and consult him before he appeared before the committee, lest your motives would be misunderstood?

A. I believe I said something of that kind. I do not remember exactly what it was.

Q. Mr. Chess, did Mr. Parke, in any disclosures about the treatment at Dixmont, inform you that he had knocked down any patients himself?

A. No, sir; he never told me he had knocked down any patients. He had told me he had been bitten on his thumb, and showed me the scar.

Q. And the persons who kicked patients were some other persons than himself?

A. Yes, sir.

Q. He had no formal consultation with you of what he knew about Dixmont?

A. No, sir; not at all, not at all, at any time. The only conversation I have ever had with him was on that day, with regard to Dixmont.

Q. You in no way suggested that he should leave?

A. Never. I did say to him that if he intended to go on the stand I preferred that he would go from somewhere else than from our hospital. I did say that to him.

Q. Why, Mr. Chess?

A. Well, as I said before, there was a little unpleasantness between Doctor Reed and myself, and that if he went from there Doctor Reed might think that I had prompted him to go.

Doctor C. C. WILEY, a witness, who appeared before the committee and being duly sworn, testified as follows:

By Mr. McKenna:

Q. Doctor, just state to the committee here where you read medicine and where you graduated.

A. I graduated at the College of Physicians and Surgeons, in Baltimore city.

Q. In what year, Doctor?

A. 1875. I have been connected with Dixmont Hospital about six years.

Q. Just state your experience as a practitioner of medicine, and the positions you held before you went to Dixmont.

A. Well, my life has been a peculiar one: three years in jail, a year in the alms-house, and six years in an insane asylum.

Q. Just state your first experience that you saw in the alms-house.

A. Well, that was in the York County Alms-house. There are some insane people there, and there is where I first took my interest in the insane. I had some experience in treating them. I was studying medicine at the time, and took more than usual interest in them, because there are some interesting experiences connected with the treatment of the insane. That was about 1875. I was associated with Doctor McKennon then, as a student; he had charge of that institution and the city hospital. I went with him daily in his rounds through both institutions.

Q. Doctor McKennon?

A. Yes, sir.

Q. Our Washington county doctor?

A. No, sir; he is of York county; I judge he is a native of York county; I am not sure about that.

Q. Do I understand, then, as a student as well as practitioner, you determined to turn your attention to the treatment of insanity as a specialty?

A. Yes, sir; then I was connected with the jail; my father was sheriff of the county at that time when we lived there.

Q. At York county?

A. Yes, sir. I had, of course, a good deal to do with criminal cases, assisting him, and other matters connected with them.

Q. Where was your next employment?

A. After leaving York, sir?

Q. Yes, sir.

A. I went to Lancaster City and was there some time; it was through Doctor J. L. Atler, president of the Medical Association of the United States, that I came to Dixmont, at his solicitation.

Q. What year was that?

A. June 20, 1877.

Q. Then what was your first position there?

A. I was assistant in the male department under Doctor Reed, who is and then was the superintendent. When I went there Doctor Ayres had charge of the female department; of course, Doctor Reed was the superintendent over both branches. After being there some time, Doctor Hutchinson was added to the staff. My particular duty there was to look after the male department of the insane.

Q. Just define what duties devolved upon you.

A. When I accepted the position I had a talk with Doctor Reed, and I understood from him that I was to assist him in all matters of business connected with the institution, either medical, executive, or dietetical. I was to have special charge of the male department. I believe for the first year I put up my own medicine; after that they were put up by Doctor Hutchinson.

Q. Is there a drug department in the hospital?

A. Yes, sir; we write our own prescriptions, put them up, and visit the sick.

Q. You may state what your actual duties were.

A. My actual duties, as laid down, were to visit the patients, *all of them*, twice daily at least, and as often as the exigencies of any case required. Very frequently I have seen men ten or twelve times a day, when it was necessary; of course that is not very often necessary, excepting in acute cases. I was to see that all their wants, so far as in my opinion was best for them, were supplied; other than that they were not granted. Of course I very frequently reported such matters to Doctor Reed—asked his advice whether I should allow it or not.

Q. Just state whether all patients have free access to you to make complaints, and make known their wants and desires.

A. Yes, sir; there never has been a man in the institution who has not had every opportunity that any other man outside of the institution could have, to have the freest conversation with me whenever he wished.

Q. Is there any rule or understanding that you are to be communicated with by the patients through the attendants, and they are to communicate their wants?

A. No, sir; on the contrary, they are instructed by me that anything I don't know they are to report it to me regarding them, and they are also to report any request the patient may make, too.

Q. That is a standing order?

A. That is a standing order. I would not permit an attendant to be an attendant if I knew he did not do it.

Q. Just state, since you have had charge of the male department, if you have had any system of rules for the selection of attendants.

Q. Well, an attendant comes to the hospital. We try to get as good a man as we can. Of course we don't always know about the attendant. He has generally a recommendation, either by some one, has been in our employ, or some responsible party outside who knows him. He presents his letter and we read it over. We employ him, if the recommendations are good, and if we have every reason to believe he is good. He is then assigned a ward where there is a vacancy. He is known as a surplus or extra; that is, if we haven't any place, or if we are anticipating one soon, of course we keep him. After that he is put into the dining-room when a vacancy occurs, because we think it requires a man of greater experience to run a hall than a dining-room.

Q. On that occasion who teaches and imparts the knowledge to these men during their apprenticeship?

A. They are given their instruction by me before they are taken into the hospital at all. I tell them what kind of care I want taken of the patients. I want them to be careful, cautious, and kind in every particular. They must use their own judgment, and must understand these people are not responsible for their acts and conversation. If they should spit upon them or strike them I tell them I would not consider it necessary for them to use any force; they must think it but the act of an insane man, and I usually illustrate by telling them I have been spit upon myself. To any insults of that kind they must pay no attention.

Q. They must exercise forbearance?

A. Any amount of it—it requires a great deal; I try to impress that particular fact upon their minds.

Q. Just state in connection with that, what you tell them would be the result of a violation of those rules.

A. First, I tell them if they strike a patient in any way except in a case of absolute necessity where they are on the defensive, and the patient is approaching them and liable to injure them, and they think at that time that the patient would injure them seriously, then to take hold of them. And in doing that to restrain them, but in so doing they must use no more force than is absolutely necessary under the circumstance, and immediately report the case to the supervisor who reports it to me; and then, of course, there are the general instructions to follow. They are not to have any communication with the female department; we have no commingling of the sexes, we try to prevent it as much as possible. For any violation of these rules that I lay down very plainly and explicitly, as I think, they are to be discharged. There will be no more questions asked. More than that, they are not to ask for leave of absence more than once in three weeks, from seven o'clock in the morning to seven o'clock at night, and if they stay later they are discharged; they also get one Sunday every five weeks, from eight o'clock until one to go to church, and if not back at that time they are discharged. If they fail to carry out my orders in any particular, or the orders of the supervisor, they are discharged. They are expected to be in their respective wards, and not out of them except on business, going to see the supervisor or me if not there they are discharged. They are not allowed out of their ward after nine o'clock at night, except to see the supervisor.

Q. Are they allowed to be idle?

A. No, sir; I take the ground that every man at Dixmont has plenty of work to do—and I see that they do it.

Q. That gives you plenty of work?

A. Yes, sir; it does.

Q. I wish you would state in reference to restraining patients by force, when it is reported to you, what your duty would be.

A. The attendants are directed in emergency to put restraint on patients, and immediately report it to the supervisor or myself—usually to the supervisor; he reports it to me. Then I see the patient, and see what sort of restraint is used. Then I also am expected, which I always do, to see that it is adjusted in a proper manner, and that there is nothing about it to hurt the patient in any way.

Q. Except in the strictest emergency, are the attendants vested with any authority to apply restraint?

A. No, sir; the attendant has no authority, except what I have given him, or Doctor Reed. We have the rules just what I have stated, and if he exceed them he would surely be discharged.

Q. Has it been your duty occasionally to discharge men?

A. Yes, sir; I have had it to do, and would do it to-morrow or any other time if they did not carry out the instructions.

Q. Have you the authority to judge of that, whether they do their duty or not?

A. Yes, sir; I wouldn't have the position under any other circumstances. I wouldn't be there a day without it.

Q. Just state the regulations in reference to sick and feeble patients.

A. If a man is sick and needs, in my judgment, extra attention, I give it to him. I also direct a man to stay with him until further orders. During this time he is instructed to give the man medicine, as prescribed and when prescribed. He is also, if the case requires it, directed to stay up all night. He supplies his wants, sees that he is comfortable, and I invariably visit him before I retire. I frequently call on them at night, and often have been called up at night.

Q. What check have that those attendants, night and day, are performing their duty?

A. Well, sir, the supervisors visit the wards at least eight times a day. They are required to go four times, and they have business through the wards, which takes them there at least eight times a day. They are going through them continually. They are required to report to me morning and evening, at seven o'clock in the morning, and nine o'clock at night; and if I am not there, report to Doctor Hutchinson.

Q. Who is that—the attendants?

A. No, sir; the supervisors. It is of the supervisors I am speaking.

Q. I am asking you what check have you that the attendants are on duty night and day?

A. If an attendant wants a leave of absence, which he gets once in three weeks, he first makes his wants known, the day before going away, to the supervisor, and the supervisor refers his request to me, so that I can direct another attendant to be put in his place. Therefore, there can never be a ward without an attendant.

Q. Doctor, I wish you would state if you can recollect a patient there by the name of Hopkins.

A. Yes, sir; I remember him very well.

Q. Just state what you know about his treatment.

A. I think it was as kind and humane as we could have given Mr. Hopkins, considering his condition.

Q. Did you see him when he came there?

A. Yes, sir; he came there hand-cuffed, sent by order of the court of Washington county. He was very violent and excited, and had been for some time. He had been caught in a corn-field by his son and some officers.

Q. He was a very powerful man?

A. A man of very large and magnificent physique, very violent, and inclined to be troublesome. Even after he had gotten better he was frequently troublesome.

Q. I wish you would state if it was by your directions the sleeves were applied.

A. Mr. Hopkins, when he was admitted to the hospital, was taken to the tenth ward, and I ordered restraint put on him, and told the supervisor, because he was a desperate man, and by my directions it was done. I afterwards had him frequently restrained, because I saw premonitory symptoms of approaching violence, and knew if once violent it would be very difficult to manage him. He was afterwards removed from that ward to the sixth ward, where he got along very well. His friends came there frequently.

Q. They were allowed to see him?

A. Yes, sir; his friends came there; his wife and his son—about his wife I am not altogether positive—his son came frequently. He was past the hospital every few days with a wagon selling candies, and when passing he would always call; in fact, he has been there in the morning before I was up and waked me.

Q. There is a charge here that you folks gave him fusil oil.

A. We never had any fusil oil, and therefore I could not give him any. I remember very well what I gave him.

Q. No fusil oil?

A. No, sir; I gave him hypnotics, sleeping medicine, to quiet him. I thought it very necessary.

Q. In that narcotic was there any whiskey put in?

A. No, sir; he never got any whiskey. His brain was too irritable. If we gave him whiskey he would have given us much more trouble.

Q. You didn't give him any bad or good whiskey, then?

A. No, sir.

Q. Did you prescribe rhubarb for him?

A. No, sir; in his condition it would have been too mild. Mr. Hopkins' case required vigorous treatment.

Q. In his case you say you gave him no whiskey at all?

A. None whatever.

Q. Do you remember the truce that was patched up between you and him that he was to take none of your medicine at all?

A. I don't remember that exactly. He may have spoken of that to me. In fact, I hear so much that is incoherent, in passing through the wards, that I frequently go out of the wards, and could tell you very little the patients have said to me in regard to their delusions and treatment.

Q. Mr. Hopkins describes here that he played a practical joke upon the patients and attendants.

A. I remember what he calls a practical joke; I was called in for this spasm, which it was, no doubt about that.

Q. No hallucination about that?

A. No, sir; that was a real, genuine spasm, and if he gets many more of them other people will be satisfied of their genuineness.

Q. What was it?

A. Epileptiform spasm.

Q. He couldn't counterfeit them then—did he have them before?

A. Yes, sir; he had them before.

Q. His description was that it was a hallucination on the part of the attendants.

A. That is not true in any sense, because he became very much excited at the time, and that very afternoon I had him removed from that ward to the tenth.

Q. How long did it take him to get over it?

A. About an hour and a half; he wasn't fully over it, though, for several days, but the immediate effects were over in about an hour and a half; he was carried out of the dining-room into the hall and laid on the floor; the attendant wasn't able to carry him out, (he was a very large man.) and he called for assistance, and the other attendant came and they carried him to the room, the first one they came to, about twenty-five feet away; he was put immediately in bed, and I saw and prescribed for him.

Q. Do you know of him having subsequent spasms?

A. Not to my recollection; I don't think he had; I think he will have, however.

Q. He charged, also, that he was brutally assaulted on his ribs and body in having the strait-jacket put on him; what do you say about that?

A. I say there is no foundation for it whatever; I am satisfied in my own mind, and I think I have very good grounds for judging, that Mr. Hopkins received no abuse whatever; and there was no more force used at any time than was absolutely necessary in putting on the jacket, or any form of restraint; I saw him afterwards, and ordered the restraint put on him, and had it taken off as soon as I deemed it safe; I have examined Mr. Hopkins all over; he is a magnificent type of man, physically, strong and vigorous; I considered him a model of vigorous manhood, and I thought I would like to examine him thoroughly, and did so; he explained to me of having broken his ankle and having plastered it up with leaves and mud, and I was interested on account of the novel surgery, and examined him all over very carefully.

Q. Also for the broken ribs?

A. Yes, sir; every rib; percussed him thoroughly for my own satisfaction.

Q. Was it customary, after the day he stated he had his ribs broken, for him to give exhibitions of his strength?

A. Yes, sir; he was very jolly at times, would turn somersaults, frequently wrestling with different persons in the ward, and often told the attendants he would like to throw three or four of them.

Q. Such a man would require very much force to restrain him when he was excited?

A. Yes, sir; undoubtedly.

Q. He had no ribs broken?

A. He had no ribs broken whatever, and has not to-day, unless since I saw him last. I never saw any evidence of it, and he never complained of any pain or any of the symptoms which would necessarily attend such fractures.

Q. Do you remember a patient by the name of Miller?

A. Yes, sir, I remember Miller; he was from Washington county, sent by order of court. He had stolen some horses in Washington county, and was taken to jail, and found guilty to be insane, and then sent to Dixmont; he came there and I examined him all over, and I know all about him. When he left I had opportunities of talking to him, and have frequently talked to him in his own room alone; it has been stated before this committee that patients have no opportunities of conversing with me alone. I very seldom call an attendant when I enter the ward, but call them generally before leaving the ward I visit the room where the patients are alone.

Q. Mr. Hopkins said that patient Miller was strapped to his bed; and beaten so that he died in two or three days afterwards.

A. There is no foundation for that, except in the diseased brain of the insane; in fact they will tell that they have been fed on human flesh, and on horse flesh, that they have seen the horses coming to the hospital to be killed for that purpose, and they will tell these things to weak-minded patients who reiterate and believe what has been related to them.

Q. Mr. Hopkins says he heard this about Miller?

A. Yes, sir; Miller was a young man, about twenty-three years of age, and had a light mustache —

Q. Did Miller die there at all?

A. No, sir; he went away from the hospital very much improved, and has since written letters to those connected with the institution, and never made any complaints of his treatment whilst there.

Q. Where is Miller? Hopkins said he was dead.

A. Miller has died very recently, then ; it is only a week or ten days ago since one of the patients received a letter from him.

Q. Did Mr. Hopkins have the privilege of writing to his friends ?

A. Oh, yes ; he could have written at any time. We have an arrangement that patients may request of the attendents writing materials. That order is handed in to the supervisor, the supervisor takes it to the store-keeper, who supplies them with pen, paper, and ink. All orders for the ward are furnished every Monday morning.

Q. He stated, among other things, that his clothes were taken from him.

A. Yes, sir ; when Mr. Hopkins came he had been attending some patients who had the small-pox. In fact, I understood he took a man and buried him shortly before he came, and when he came to the hospital I concluded the best thing we could do was to change his clothing. We had them taken off and washed, and other clothing given him that he could wear. They were as good as should be worn there by anybody.

Q. Mr. Hopkins referred to an inmate there, a Swede, being kicked in the mouth.

A. Yes, sir ; that never occurred. I would have seen the evidence of it from the swelling of the mouth.

Q. Was there such a patient ?

A. Yes, sir.

Q. What was the character of his insanity ?

A. Epileptic mania, attended with furore. He frequently became very much excited. That is a frequent occurrence with epileptic patients ; they become very vicious and treacherous before they have a paroxysm. After they have had it they become gentle and tractable.

Q. Do you know who sent him there ?

A. He was sent from Crawford county, I think ; from either Crawford or Mercer county.

Q. What was he sent there for ?

A. By reason of his insanity. Because he had epilepsy, and had had it all his life, which produced disease of the brain.

Q. Haven't you a man there that was sent for murder—an insane patient from Cambria county ? Probably, I think, it was one named by Hopkins.

A. Yes, sir ; a man was mentioned by Mr. Hopkins. I don't think he said he was sent there for murder. I know he was not.

Q. Give us your reminiscences, as briefly as you can, of Mr. Carroll.

A. I have a statement here that I made about Mr. Carroll at one time, just at the time this should have occurred ; it was investigated once before by the executive committee ; here is my statement, if you will accept it as evidence.

Q. By whom was the case investigated ?

A. By the board of managers of the Dixmont Hospital.

Q. Who composed that board, Doctor ?

A. I can't recollect all the members of it ; it seems to me that Mr. Loomis, and Mr. Harper, president of the board, were there, and several other members ; it was on Tuesday, when they have the meeting of the executive committee to sign the warrants for the hospital ; they generally supervise everything and see that it is all right.

Q. State in reference to Mr. Carroll as briefly as you can.

A. Carroll was admitted to the hospital September 30, 1879, upon the certificate of two physicians ; he was brought there confined in a strait-jacket composed of ticking, and the sleeves of it made out of a salt sack.

Q. Had he a shirt on ?

A. No shirt on ; he had a blister on the back ; the blister had been there before the jacket was put on, so he told me, and it was torn off His brother was unable to get the strait-jacket on ; he had been wrestling with him ; Carroll told him that if he could throw him down he would submit gracefully ; his brother threw him down, but he didn't submit ; they threw him down again and put it on very much against his will, and put it right next to the skin ; he came to the hospital with no shirt on, and the blister not having been dressed in any manner, the skin, where the plaster had been, was rubbed off. When he was admitted in the hospital I think he was accompanied by Doctor Harding and another man ; I am not sure who it was.

Q. What would you say about the nature of his case ?

A. Mr. Carroll's case was a case of acute meningitis, not cerebro spinal meningitis, but simply meningitis ; he was insane. I made special rates for him, as they said he was poor, and I gave him the best rates I was allowed to by the hospital. He was taken into the first ward and given into the hands of Mr. Parke ; Mr. Caldwell, the supervisor, was absent, and I gave him to Mr. Parke, of the first ward ; after that he was bathed and taken to a room in the front part of the house (the first room east of the alcove) and placed on a bed ; the attendant sat opposite him in the hall ; he became excited and made an attack upon the attendant, and was forced into——

By Major Walker :

Q. Did you see this ?

A. No, sir ; I investigated it at the time, and have a vivid recollection of it.

Q. I mean the actual collision with the attendant.

A. I have reason to judge he was doing his duty ; he told me so afterwards.

By Mr. McKenna :

Q. Who was the attendant ?

A. A brother of Mr. Parke—a brother of the gentleman who was here to-day.

Q. Is he here ?

A. No, sir ; I understand he is practicing medicine ; he got some experience with us and went on studying, and finally went into general practice.

Q. Did you see Carroll on his arrival ?

A. Yes, sir.

Q. What was his condition ?

A. As insane a man as ever I saw ; I saw him when he was violent.

Q. From the state of his mind, could he possibly remember anything that occurred at that time ?

A. No, sir ; he could not possibly have any recollection of what occurred in the first ward.

Q. Can you recollect what was the cause of his malady ?

A. Yes, sir ; I remember very well, indeed ; he had been attending some of Ingersol's lectures, and also a camp-meeting ; for some incompatibility between the two doctrines he became very much excited ; he would rave and tear at his whiskers, at one time saying he had the devil in his throat and wanted to get him out.

Q. Did you see this ?

A. I heard it ; he afterwards became so violent, storming around and pounding the door, that the attendants went to see what was the matter ; as soon as they opened the door he made a rush up the hall and struck his head against the hall door ; he also ran down the hall again and struck his

head against the iron guard at the other end; it was reported to me, and I advised that he be put in a room at the left hand of the hall (going east) put in the strong room that had shutters; afterwards he was—he was put in the eighth ward. My instructions were complied with.

Q. Was there any punishment inflicted upon him?

A. No, sir; that does not occur in any shape. He was taken to the eighth ward and was put into a room. I sent the medicine in to him, and one glass was broken. I put up a second and gave him the medicine in a tin; this was done by my orders for fear he would kill himself: he was put in the strongest room we have in Dixmont by my directions; I saw him that night at nine o'clock Mr. Caldwell saw him with me; I ordered the bedstead to be taken out and a mattress to be put in, and he be allowed as much liberty as it was possible to give him. As a matter of temperature that has been spoken of by Carroll, stating that he suffered from cold the first night in the hospital, I will say just this: I have taken the record of the temperature (out-of-doors), a record we have kept for years. That night and the following night and the third night, the temperature was taken at the hours of three, six, nine, twelve; three, six, nine, and twelve daily. The average temperature of these nights was sixty two and two-third degrees outside, and I judge the hospital is at least ten degrees warmer than it was out-of-doors.

Q. What time of the year was it?

A. It was in September and October. If you will look up the matter, you will find that some of those days the temperature was up to seventy-five and eighty degrees. That night Mr. Carroll was given a mattress in his room. I saw him at nine o'clock that night, and the next morning I saw him, I judge about eight o'clock. He had been taken to the bath-room and bathed. Mr. Caldwell was there at the time he was bathed. He goes around always, and he did at that time; (he is not connected with the hospital now;) he went around before seven o'clock; he went through every ward. He saw Mr. Carroll in the bath-room when they bathed him, and I saw Mr. Carroll that morning myself—

Q. We will dispense with the narrative in regard to Mr. Carroll until another time, and proceed to another branch of this case—Do you know Mr. Robert Parks?

A. Oh, yes; I know him well.

Q. He was at your institution for some time?

A. Yes, sir.

Q. I wish you would state whether you ever heard directly or indirectly, before his testimony of this morning on the stand, any of the allegations of knocking down and kicking patients, by attendants.

A. No, sir; they were never reported to me, and, moreover, if they had occurred, I think I would have seen some evidence of it. I am pretty familiar with the patients. I go in and talk with them, and they have plenty of opportunities of talking to me; there is no reserve whatever. I rather court familiarity. I like to talk to the patients; they all know that, and there is none of them to-day who will not tell you the same.

Q. Do you remember the time Mr. Parks got his thumb hurt?

A. Yes, sir; I remember Charles Inman, a patient in the first ward, bit his thumb. Mr. Parks told me at the time that he was trying to give him some medicine. It was in the morning that it occurred—in attempting so to do Inman bit his hand. I dressed his hand; afterward it got very bad, indeed; in fact I would not have been surprised if it had become necessary to amputate it. Parks left the hospital at that time on a leave of absence and went up into the country and staid for some time; he then came back

and we employed him; we paid him for all the time he was away—from the time he received his injury in the hospital until his return.

Q. Was there any statement of how he received his injury in the hospital?

A. No, sir; nothing more than what I have just stated.

Q. At the time of the injury to his thumb, which he has described, had he any difficulty with Inman at all?

A. Nothing more than he was attempting to give Inman his medicine, and Inman had grabbed hold of his thumb and had bitten it; that is what he informed me. I did not question him any further, because I knew such a thing was very liable to occur.

Q. What was the character of Inman's insanity?

A. Inman at this time was very violent.

Q. Was he a violent man?

A. No, sir; of ordinary height; not very stout, but wiry and muscular.

Q. Could Mr. Inman, Doctor, at that time, have been knocked down and abused, in the manner described by Mr. Parke, without your knowing it?

A. I don't think he could, from the fact that Inman often talked to me. He was a man who could have told if he had been abused, and I think from his disposition that he would have been very apt to have said something about it. I saw no evidence of his having been abused, or of these other cases that were mentioned by the witness, Parke.

Q. Was there a Mr. Weddell, a patient?

A. Yes, sir; Weddell was a man subject to epileptic furores. He had spasms frequently, and was removed from the hospital once and returned there again by his friends, where he died.

Q. Where there are so many attendants are there not jealousies among them sufficient to induce them to report on each other?

A. Yes, sir; there are; they all want in the better wards; but few of them are contented.

Q. If Mr. McConnell, and Mr. Harper, and Mr. Brown had abused Weddell, and struck the patient as described by the witness Parks, would it have been possible for it to have been concealed from you?

A. I don't think so; there would have been some complaint.

Q. Was Weddell competent enough to have complained?

A. Yes, sir; except during his spasms, when he was insane. Then he was violent and treacherous, as epileptics are. Then you could not trust him. You can't trust any insane man, no matter how well he appears to be. I take any statement from a man who is insane, or has been, "*cum frano salis*."

Q. For what reason?

A. Because a man once insane, is very liable to become insane again; statistics prove that only two out of every ten of those who have been insane are permanently cured, and that the remaining eight become insane again, and die in subsequent attacks; moreover, the impressions that are formed during these periods of high excitement are very apt to be lasting; they are impressions received when the brain is diseased; they are erroneous impressions, and always remain wrong; the eloquence of Cicero would not convince these persons to the contrary; these persons are perfectly sincere in their belief; I don't doubt the sincerity of the men who make statements of that kind, but I always doubt the facts they state.

Q. Do you know James McConnell, W. S. Brown, and William Harper, who were all attendants?

A. Yes, sir; all former attendants at Dixmont.

Q. Just describe them, their character and reputation as competent and kind-hearted men.

A. Mr. Brown is a very large man ; was a school-teacher, I understood, before he came to Dixmont, and was there some time ; he was not very active.

Q. How was his disposition and treatment of patients, as far as you know ?

A. I don't know that he ever injured anybody seriously, not to my knowledge ; I don't think he injured them at all.

Q. What was his disposition and temper ?

A. I know this much, that Brown, with the attendants in that ward, (McConnel and Harper,) never got along very well ; they thought Brown was not active enough, and did not do his part of the work in the ward ; he had charge of the dining-room ; it was probably an easier position ; I know they did not get along very amicably ; one reason was Brown wanted to institute prayer-meetings in the wards, and they ridiculed the idea ; I think that was the origin of the trouble ; Mr. Harper went to town, and during his absence Mr. Brown took into the ward a small trowel, and also a pine stick, and mixed up some plaster-paris for stuffing up some nail-holes ; he took it out in the hall and left it, and the patient Lovell picked it up and secreted it, and made a blade out of it, and from a piece of ticking he got off a pillow he made a scabbard, and he put this trowel into it. Lovell had this one night, and the attendants heard of it ; that afternoon Lovell was seen talking to some of the other patients ; the attendants thought things were not altogether correct, and made a raid on the clothing that night, and discovered this, and the trowel was taken out of the scabbard ; and Mr. Lovell was brought forth to answer for the offense. In the meantime the attendants had taken the trowel out, and Lovell said his object in making that scabbard was to have it filled with salt to lay over his stomach, that he was troubled with cramps ; it was found that Lovell had sharpened the trowel to injure somebody ; after that Brown was asked if he only had the stick, and he said all he had was the stick ; he denied having the trowel ; it was afterwards proven that Brown had the trowel in the ward ; he afterwards acknowledged having it, was reprimanded for his carelessness, and subsequently discharged.

Q. You didn't, still, answer my question about Mr. Brown. What was his method or disposition in the treatment of handling the patients ? Was he a mild mannered man, good natured, or just the opposite of it ?

A. I think he was about as good as the general average ; as much as you could expect of a man ; I say that I don't know that he ever injured a man, not to my knowledge. I have no recollection of anything of the kind ; that is all I could say ; he was not an unkind man.

Q. Give us Harper's reputation for kindness.

A. I don't think I ever saw anything wrong. I never had any knowledge of it, and I think I have had every opportunity to find out any abuse of patients, for I have never missed a day visiting the patients since I have been connected with the institution, until this investigation commenced, excepting during my vacations. I have been through the wards every day. In those six years I have never missed seeing a patient daily, and I think if Harper had injured one of those patients I should certainly have known it, for I am on the lookout for such things. Harper has not told you how he happened to go away ; I remember the circumstance very distinctly. It was Sunday. He came down from church at one o'clock on the train which gets there about 1.05 o'clock. He came from town and there was another attendant with him who was slightly intoxicated ; I

think it was McConnell. McConnell went over to the gas-house, (he didn't want to be seen.) Harper came up to the institution; he was sober, and afterwards for having secreted—though he said he hadn't secreted—McConnell, but he didn't report him—that is all—for failing to report this man's intoxication he was discharged. That is why he went away.

Q. Would the discovery of the failure to report a case of cruelty be reason for his discharge?

A. Yes, sir.

Q. What was McConnell's reputation for treating patients?

A. McConnell was considered a very good attendant. By the way, there is another thing about this man Brown—McConnell had had articular rheumatism, and been off duty for six weeks in the eighth ward, and they wanted to impose upon McConnell. He was ordinarily able to do his work and he could have done it at that time very easily with the assistance of Brown. Brown was inactive and not inclined to work. It was alleged that he imposed upon McConnell. Harper had some words with Brown on that question. Harper took the part of McConnell, saying that he should not impose upon him, and that he would take his part because he didn't think McConnell was able to take his own part, having just recovered from a spell of sickness. I have a letter from Brown, speaking in the highest terms of the institution. I was in the ward morning and evening, and saw McConnell, and to his disposition I will state that he was of a kind disposition.

Q. You state that of your own personal knowledge?

A. Yes, sir.

Q. You heard Parks' statement this morning. I wish you would give your explanation as to how you came to give him any money.

A. I went to the Twelfth Ward Hospital, Pittsburgh, this day a week, in company with Mr. Sample. I rang the bell, and was ushered into the office, and I requested to see Mr. Parks. I waited a little while in the office, talking to Mr. Sample, and then the physicians connected with the hospital came in. I spoke to them, and introduced them to Mr. Sample. Mr. Parks came in after the physicians. He was in his shirt sleeves. Parks and I went into the parlor opposite, and hardly got seated until Captain Sample came in and stood there. Parks talked about this matter—of the investigation. He said he knew a great deal about the Carroll charges. He had testified before, and had given a written statement at the former investigation of these charges. I told him I would like to have him come and tell what he knew about it again.

Q. In the former statement he exonerated the institution?

A. He exonerated the institution, most undoubtedly. The first time we talked there about it, he said he would try and get off, and come. I gave him a ticket to Dixmont and return. The last words I said were: "You will come down and corroborate the statement you made before the examining committee?" That was in the presence of Mr. Sample, at the previous investigation, and he said he would.

Q. Did he show any reluctance to do that?

A. No, sir; no, sir. I didn't see anything peculiar about his manner. I didn't think he appeared reluctant.

Q. He left you under the impression that he had no objection to coming?

A. He left me under the impression that he would come and corroborate his former statement *verbatim*. I left him, believing that he would, and I got into the carriage and rode off. A few days after, when I was at Dixmont, Parks called me by telephone, and said he wanted to see me at the St. Charles hotel, or some other hotel in the city. I told him I was very

busy, that if he wanted to see me to come to Dixmont. I did so because I was too busy to go to the city, and not on account of any previous arrangement. Parks afterwards came to the hospital, and I had a talk with him. He said he had come to talk this matter over with me; that he had been advised to see me, by Mr. Chess; that there was some little personal matter between Mr. Chess and Doctor Reed, and Mr. Chess said that he was very sorry to be mixed up in the matter in any way whatever, and advised him to come down and talk to me. He came there, as I understood, to have a talk with me, by direction of Mr. Chess. Parks said: "I am not a very good witness. I have a good deal of timidity in going before that committee," he said, "and I am afraid of the consequence."

Q. To himself?

A. I judge so; he said. "I am afraid of the consequences, and it may get me into trouble, and I don't care about being put into it." He also said, "I have got a leave of absence for one week, and propose to go away to avoid appearing; and I said, 'Where?'" He said, "I don't know where; up home somewhere." He said, "I don't feel like testifying because it may bring opprobrium on this institution, and other institutions." He said, "My health is not good; I am not strong." I said to him, "I don't know but what I might be able to get you a situation." I felt kindly to Mr. Parke. He then said again that he didn't care about going before the committee.—

By Mr. Neill:

Q. Did Mr. Parke allude to his former statement that that was any reason why he did not want to go before this committee—that he would likely have to have to contradict the former statement?

A. He said it would conflict with his former statement, and his object in coming down there, that was my understanding, to corroborate it, I supposed, and I was perfectly sincere in my belief that he would do so. That is why I gave him the ticket.

By Mr. McKenna:

Q. The committee was in session at that time?

A. No; they were not there at that time; they were in town.

Q. Your ticket was to come down to the sessions?

A. That is it; I gave him that ticket to come down and corroborate his former statement, which he said he would do. When he came he stated what I have said to you before, and also said he had no money; that he was going away, and wanted to go away, but that he had no money. He had some money coming to him at the hospital, but didn't know whether they would give it to him or not; he was going home, and he didn't know whether they would give it to him. "Well," I said, "I will give you some money if you want to go away, with that understanding." Well, he said he wanted to go into some other business. "Well," I said, "we are full here, but I have some friends who are living in Cincinnati, engaged in business; he has an elevator, and carries on business generally; if you go down there I will give you a letter of introduction, and you could speak to him, and I will correspond with him." I gave it to him, and he telegraphed me over from Cincinnati that he was sick. I hadn't been able to write to this gentleman, and I supposed he was comfortably situated, and when he telegraphed that he was sick I rather thought, not having been able to fulfill this arrangement, hadn't had time to do it, I thought possibly the man was left in a bad situation; that he was there sick and without friends, and as a personal matter, independent of the hospital, the investigating committee, or anything else, I sent him thirty dollars by telegraph, supposing he was sick and in need. I sent that to him as a purely personal matter, independent of counsel, the hospital, or anything else.

Q. You had a very friendly feeling towards each other ?

A. Yes, sir ; and I would send it to any man under heavens who was sick and wanted the money.

Q. You didn't originate the idea of sending him away ?

A. No, sir. He said when he came to see me that he thought he had better go away.

Q. Said he was going away anyway ?

A. Yes, sir ; said he was going away and had no money. I felt pretty kindly to him, particularly when he was sick, and I gave him the money same as I would to any other man. I did it myself. Another thing, he didn't want to come before this committee and testify. He was timid about it, timid of exhibiting himself, and on his own personal account he didn't want to come before it. I felt sorry for the fellow. Everybody is not constituted alike. He said he wanted to go away, and I gave him the money. I gave it to him not because I was afraid of his coming before this committee, or any other man. I gave it to him because he was fearful of doing so.

Q. Explain why he assumed a different name.

A. He assumed a different name, because he said if he had his own name somebody would call him up. He said he didn't like to assume another name. He then selected the letters out of his own name and made one up.

Q. The letters in the name he did assume are out of his own name ?

A. Yes, sir. That is all I know about Mr. Parke, and all his relations to me, so far as his stating that the reason he went to Cincinnati was because I was afraid of any testimony he might bring before this committee. It is not so ; I did not do it ; I deny that emphatically. What I did was purely on my personal responsibility, without consultation of either the counsel, the hospital authorities, or anybody else.

Q. In his testimony I understand that Mr. Parke makes no personal charges against you ?

A. No, sir.

Q. You would then have no object in sending him away on your personal account ?

A. No, sir. All my personal relations, so far as Mr. Parks was concerned, were that he said he was out of money and wanted another situation. Moreover, I anticipated that Mr. Parke might want to come back to Dixmont. My relations were friendly, and if he chose to go away to some other place, it was a very good excuse for him. If I could get him a situation probably I would have. I am very well satisfied I could have gotten it for him had he remained in Cincinnati.

Q. You may state whether, on account of your personal relations with Mr. Park, you would have furnished this money, whether the committee was investigating Dixmont or not ?

A. Most assuredly ; or any other man, especially when he was sick ; without a doubt.

Q. As I understand you, then, Parks had made up his mind to go away, and had exonerated the whole hospital authorities from any abuse ?

A. Yes, sir. Dixmont Hospital has nothing to do with it—nobody but myself.

Q. But had Parks exonerated the management before he went to Cincinnati ?

A. He had exonerated the management before, and made a statement to me doing so.

Q. Did he make the same statement then which he did in this case today, about striking patients and concealing it from you ?

A. No, sir.

Q. I mean at the second interview at Dixmont.

A. No, sir.

Q. Did he, among other things, inform you there that he had knocked down patients himself?

A. No, sir; he did not.

Q. About what did he express fear and trepidation about going before the committee—was it about himself?

A. In relation to some matters at the hospital which he evidently had in his own mind; he was afraid of himself; he said he might bring out matters that was not supposed.

Q. Against himself?

A. Yes, sir. He was fearful, I suppose, if he appeared before the committee it would be uncomfortable for him. He didn't want to go there.

Q. You distinctly and positively say and affirm that it wasn't to prevent Parks from testifying before this committee, in reference to the charges he has made here to-day, that you gave him the money?

A. No, sir. I have never tried to prevent any man from testifying, but have made every effort to refute groundless charges. So far as my personal relations with Dixmont are concerned I have nothing to conceal.

Q. You may state whether there are any other cases of attendants being sent away.

A. I don't know of anybody being sent away.

Q. Did you ever send anybody away?

A. Any man that went away during this investigation went of his own free will.

Q. Any other men gone away or been concealed?

A. I don't know anything about it if there has.

Q. This matter, then, between Parks and yourself, was unknown to Doctor Reed, or to counsel, or to anybody else?

A. It was unknown to counsel, or to Doctor Reed, or to anybody else. It was a pure personal matter between Parks and myself, independent of this investigation. He said he didn't want to go before the committee; probably it wouldn't be best for himself.

Q. He didn't explain to you the reason?

A. No; he seemed to be very anxious to get away.

Q. You may state, in that connection, in reference to a dispatch that was presented here this morning to "Hold the fort"—what did that mean?

A. I hadn't time to write the gentlemen friends about getting a situation in Cincinnati for Parks. I knew very well, as soon as I got an opportunity of communicating with these gentlemen, he could get a situation of some kind. I thought Parks was getting discouraged.

Q. This dispatch was for the purpose of encouraging him?

A. Yes, sir; that is what it was for exactly—to go down there, and I would write to those parties. I thought that I was under obligations to Parks, because I had promised to get the situation, and because I had been so busy myself I hadn't been able to write to the parties.

Q. You felt some disappointment at not being able to comply with the promise?

A. Yes, sir; I was trying to carry out the promise. Parks telegraphed me for money, saying he was sick. I felt that he must feel himself "in a box," having no friends and no relatives in Cincinnati to aid him. I sent him a telegraphic money order, believing he needed it when he was sick. Most people do when they are sick.

Q. I wish you would state when you first heard of this man Parks

knocking down and abusing patients—that is, either from attendants or from Mr. Parks himself.

A. The first intimation I ever had of it was here—on having him testify to-day.

Q. At the conference with you at Dixmont he didn't tell you that?

A. Not one word about it.

Q. Then it was not to avoid the narrating of these charges that he assigned or stated to you as the reason why he went away, or desired to leave?

A. No, sir; it was not. I deny this most emphatically. He never stated to me one word about these charges.

Q. Did you solicit him to go?

A. No, sir; he said he wanted to go. He said he wanted to go away himself—that he had given up his job, and wanted to get into a job some place else; he was tired of hospital life, and wanted some other kind of work.

Q. You deny soliciting him to go?

A. Yes, sir; I do most positively.

On motion of Major Walker, adjourned to meet in the city of Harrisburg on Tuesday evening, March 13, A. D. 1883, at seven o'clock, P. M., in Senate committee room No. 4.

And now, to wit: Tuesday, March 13; A. D. 1883, committee met, pursuant to last adjournment, at Harrisburg, Pennsylvania, in Senate committee room No. 4. Present: Chairman McCrum, Senators McNeill and Hart, and Representatives Walker and Graham.

Adjourned to meet at Pittsburgh on Monday, March 19, A. D. 1883.

And now to wit: Monday, March 19, A. D. 1883, committee met, pursuant to last adjournment, at the St. Charles hotel, in Pittsburgh, at ten o'clock, A. M. Present: Chairman McCrum, Senator McNeill, Representatives Walker and Graham, and proceeded to Riverside to inspect the workshops, buildings, and the general workings of the penitentiary, and adjourned to meet Tuesday, March 20, A. D. 1883, at ten o'clock, A. M.

And now, to wit: Tuesday, March 20, A. D. 1883, committee met pursuant to last adjournment, at the office of the St. Charles hotel, Pittsburgh. Present: Chairman McCrum, Senator McNeill, Representatives Walker and Graham; C. F. McKenna, Esq., of counsel for respondent, and witnesses, and the taking of testimony proceeds.

JAMES McCONNELL, a witness who appeared before the committee, and being first duly sworn, testified as follows:

By Mr. McKenna:

Q. Just state where you are employed, and in what capacity.

A. In the asylum at Trenton, New Jersey.

Q. Insane asylum?

A. Yes, sir.

Q. You came on here, I suppose, to testify in this case?

A. Yes, sir.

Q. How long have you been at the insane asylum at Trenton?

A. Three years in July coming—two years last July.

Q. In what capacity are you employed at Trenton?

A. Well, I am kind of an extra attendant, and assist the supervisor most of the time.

Q. Who is superintendent of the Trenton asylum?

A. John W. Ward.

Q. I wish you would state if you have been connected in any capacity with the Dixmont Insane Asylum.

A. Yes, sir; I was.

Q. Go on and state when you became connected with it, and when you left.

A. I went there in 1878 and left there in 1879; I was there about eleven months.

Q. Just state in what capacity.

A. I first served in No. 1 about three weeks, and then went into No. 8.

Q. Those are the names of the wards?

A. Yes, sir.

Q. What was your rank and position there?

A. Well, I was an attendant.

Q. You served there as an attendant?

A. Yes, sir.

Q. You may state who were your assistants or colleagues in ward No. 1, the first ward you were in.

A. The first ward, there was a fellow named Robert Mollisey, when I first went there, and a fellow named Mitchell.

Q. How long were you in that ward?

A. About three weeks.

Q. Then the next ward—just state how long you were there, and who were your fellow assistants with you.

A. Well, the greater part of my time while I was in No. 8, we had Mr. William Harper.

Q. You can state, Mr. McConnell, if you read the testimony of Mr. R. B. Parks, one of the attendants, as taken by the stenographer.

A. Yes, sir; I read that testimony.

Q. Read it, entire, did you?

A. Read it entirely through.

Q. I wish you would state to the committee here whether you knew Mr. Weddell and Mr. Inman, inmates of the wards there.

A. Yes, sir; I know both of those patients.

Q. Remember both of them?

A. Both very well.

Q. Were you on duty at any time in the wards with R. B. Parks?

A. No, sir.

Q. He has detailed in his testimony, Mr. McConnell, that Inman, in a scuffle with him, (Parks,) bit his thumb and injured it very badly, and that you and Harper, attendants, rushed in and knocked down this man Inman, and abused him and injured him very badly.

A. No, sir; no such thing ever occurred.

Q. You deny that, do you?

A. Yes, sir.

Q. State if you have any recollection at all of any difficulty with Parks in which his finger was injured, as he alleged.

A. Well, I don't know anything about the biting of his finger ; I wasn't present when his finger was bit—I wasn't present at all.

Q. Did he show you his thumb, and the injury made by Inman on it, afterwards ?

A. I never saw it until after he returned.

Q. That was on his return from his vacation, as he described it ?

A. Yes, sir.

Q. I wish you would state if you knew Mr. Weddell, an inmate there.

A. Yes, sir ; I know him.

Q. Did you ever participate with Harper, or with anybody else, in abusing or injuring, striking or kicking Mr. Weddell, as Parks has described in his testimony ?

A. No, sir ; such a thing never occurred with Mr. Weddell.

Q. I wish you would state if you know of or saw any injuries inflicted upon either Mr. Inman or Mr. Weddell by Harper, or whether you yourself ever inflicted any injuries upon them at any time ?

A. No, sir ; I never did, and never saw Mr. Harper do it ; Mr. Harper is rather a good attendant in every respect ; a good-hearted man ; good to the patients.

Q. Was Inman in your ward—in the eighth ward ?

A. Yes, sir ; he was there after the biting of Mr. Park's thumb.

Q. Where was he brought from ?

A. From No. 1 to No. 8.

Q. You saw him ?

A. Yes, sir.

Q. Did you see his face and body, so that if he had sustained the injuries could you observe them ?

A. Didn't see any injuries on him at all.

Q. Was it part of your duty to bathe this man Inman ?

A. Yes, sir.

Q. How often ?

A. Well, he was bathed regularly once a week.

Q. After this occurrence of biting Parke's finger, did you see any injuries on the man, any bruises on his body, on his face, or anywhere, while you were bathing him ?

A. No, sir.

Q. Do you know of anything of that kind ?

A. Didn't see anything of the kind while he was bathed ; no marks of any kind.

Q. Was Weddell in your charge and care ?

A. Yes, sir.

Q. Did you bathe him occasionally ?

A. Yes, sir.

Q. The same as the other patients ?

A. Yes, sir ; the same as the other patients, once a week.

Q. You deny that he was knocked down, kicked, or abused ?

A. Yes, sir.

Q. In your inspection or examination of his person, while bathing, did you see any signs of injuries or bruises ?

A. No, sir.

Q. When did you first hear of this brutal treatment of these two men ?

A. It was a week ago last Saturday, the first I read of it.

Q. Where did you see or hear of it ?

A. I seen an account of it in the *New York Times*.

Q. During your stay at the hospital or asylum you knew nothing of it ?

A. No, sir.

Q. Never heard of it there at all?

A. No, sir.

Q. Do you know an attendant there named J. W. Black, of the first ward?

A. Yes, sir; I knew him.

Q. Do you know where he is?

A. I do not.

Q. Did you ever know of Mr. Black, in the first ward, knocking down, and abusing and maltreating Inman or others?

A. No, sir; that never occurred to my knowledge.

Q. Sir?

A. Nothing of the kind ever occurred to my knowledge.

By Mr. McCrum:

Q. Could it have occurred in the ward without your knowing something about it?

A. Oh, it could have—yes, sir.

Q. It could have?

A. Yes, sir.

By Mr. McKenna:

Q. That was a different ward?

A. Yes, sir; a different ward to what I was stopping in.

Q. Wouldn't the attendants likely have talked about that if that had occurred?

A. Yes, sir; more than likely such a thing would have been talked about.

Q. Do you know of Parks himself knocking down and abusing such patients—Inman and Weddell—as he has described?

A. Never did.

Q. Do you know of any agreement between Parks and the other attendants—that this maltreatment of Inman and Weddell should be concealed from Doctor Wylie and Mr. Caldwell—not be reported?

A. No, sir.

Q. Did you ever know of any attendants making such arrangements?

A. Never knew of such arrangements having been made.

Q. Mr. Parks stated in his testimony, that in addition to these two patients—Mr. Inman and Mr. Weddell—that it was a very frequent occurrence; that he saw other patients, whose names he did not give and could not recollect, struck by Harper, by yourself, and by Black—striking and abusing—maltreating—knocking them down.

A. No, sir; I never knew the like of that to occur.

Q. You say you never knew the like of that to occur?

A. No, sir.

Q. On the patient Inman or the others?

A. No, sir.

Q. I wish you would state what the penalty would be for abusing or maltreating patients—to the attendants?

A. They would be discharged.

Q. Were those your instructions?

A. Yes, sir.

Q. Who was that communicated by?

A. To me?

Q. Yes, sir.

A. By Mr. Caldwell and the doctors, too.

Q. Then you held your position by reason of the fact that they were not abused or maltreated?

A. Yes, sir.

Q. I call your attention to the question of Senator Hart :

“Q. Go on and state what you know, of your own knowledge, in reference to this matter of Innman’s.”

“A. Well, I went in on a Sabbath—I was off on Saturday, I think,—and on Sabbath day, because I hadn’t any duties to perform, at that time I wasn’t doing anything on account of my thumb, I went over to the eighth ward for some purpose, I don’t know what, and the attendants ask me to let them see my thumb ; I took off the cloth and showed it to them, and this man Harper went up to where Innman was sitting and knocked him down, and the other attendant, I believe, was McConnell, and they continued to knock him down for some time, until I asked him to quit.” What do you say to that ?

A. I say it is not true, because I never seen Mr. Parks until he came back after he went away.

Q. What do you say about the man being knocked down ?

A. I say he wasn’t knocked down, and also say that he wasn’t kicked.

Q. You were in the eighth ward with Harper at the time ?

A. Yes, sir ; I was in there with him at that time.

Q. Mr. McConnell, Mr. Parks says Harper was generally cruel to the patients there.

A. He wasn’t cruel at all ; he was what I would call a very good-hearted attendant to the patients, was good-hearted, and always used them very good ; I never seen him at any time strike any patient or abuse him at all.

Q. Was he a man of high temper ?

A. No, sir ; he was a man of very good temper.

Q. In the eighth ward—your ward—the attendants there were Harper and yourself ?

A. Well, Harper and Brown ; there was other attendants there—I don’t remember their names—during my stay.

Q. Had you anything to do with the care or attention of Mr. Carroll, a patient there ?

A. Yes, sir.

Q. You remember him, do you ?

A. Yes, sir.

Q. He was in the eighth ward while you were there ?

A. Yes, sir.

Q. Did you read this testimony in reference to Carroll’s treatment ?

A. Yes, sir.

Q. Detailed by Parks, the witness ?

A. Yes, sir.

Q. I think he implicates you and Mr. Harper as being the attendants who took him into the bath-room ?

A. Yes, sir ; we took him into the bath-room.

Q. I wish you would state if the man was abused in any way in the bathing room ?

A. No, sir ; he was not.

Q. Did you see him before he came to number eight ward ?

A. Carroll when he was first bathed was in number one.

Q. Had you anything to do with that ?

A. No, sir.

Q. And when Carroll was removed into the eighth ward—

A. Then he came into our charge.

Q. Did you see or know of any ill-treatment or abuse of Mr. Carroll in that ward ?

A. No, sir.

Q. I wish you would state to the committee if, from the man's action and vigor, he showed he had been injured in any way, had ribs broken or his body beaten, or anything of that kind.

A. Well, when he first came in there he was very much excited, very much out of control, and hard to control. The first dealings I had with him was to put a strait-jacket on him. I put that on him, and the next morning I found him with the strait-jacket off.

Q. What was his condition then?

A. Well, he was in a very bad condition.

Q. How in a bad condition—mind or body?

A. No, his mind was very bad. He had his room in rather a bad state.

Q. What was that state?

A. Well, he had soiled it considerably, and also soiled it on the wall.

Q. Soiled the wall?

A. Yes, sir.

Q. I wish you would state, Mr. McConnell—I believe Mr. Carroll stated in his testimony for that some punishment or abuse was inflicted on him—I wish you would state whether that is true or not.

A. No, sir; it is not true.

Q. There was no punishment?

A. No punishment.

Q. What was done to him?

A. Well, he was removed out of that room and put into another room, after he was bathed.

Q. Did you or Harper strike or kick or abuse that man in any way, as testified, at all?

A. No, sir; I never did, and I never saw Harper either strike or kick him.

Q. Was Parks there at the time you put the strait-jacket on Carroll?

A. No, sir.

Q. Mr. McConnell, it was detailed here—I don't know whether you were in the first ward or not—that J. W. Black knocked a patient down and jumped on his breast while in bed. Mr. Parks has stated that he saw that done to an unknown patient—a patient whose name he could not give—did you ever hear of such an occurrence?

A. Never heard of any such occurrence.

Q. What kind of a man was Black in the treatment of his patients?

A. I could not say very much in regard to Black; he seemed like a very nice young man.

Q. Did he leave the institution before you?

A. I couldn't say.

Q. You were not very long in the same ward with Black?

A. I never was in the ward with Black.

Q. Mr. McConnell, from what you saw of Inman and Weddell in your ward, when they were free from violence, could they have made intelligent complaints to you about bad treatment—were they sane enough to do that?

A. Yes, sir.

Q. I wish you would state, if in your intimacy with these men, if they ever made complaints to you about Harper's abuse, or about Park's abuse, or of your own abuse or any other person's.

A. No, sir; never did.

Q. Never did?

A. No, sir.

Q. Did Mr. Carroll complain to you while there that he was very badly injured or abused at all?

A. No, sir.

Q. You had to handle him and put on the jacket occasionally?

A. At one time—only once.

Q. Did you ever use more force than was absolutely necessary in the treatment of Mr. Carroll, Inman, or Weddell, in their violent spells?

A. No, sir; not any more than what was necessary.

Q. Did Mr. Parks at any time ever remonstrate with you or with Harper against the excessive force employed to restrain the inmates?

A. No, sir; he never did.

Q. Your duty was also to assist in bathing Mr. Carroll while he was in your ward?

A. Yes, sir.

Q. From the inspection of his person, did you observe any black and blue contusions or signs of the injuries that were alleged?

A. No, sir; I did not.

Q. Did you yourself, or did Harper pull his beard out in any way to punish him or harass him?

A. No, sir.

Q. Did you use as a means of punishment, or see it used on him, a brush over the portion of his back where the blister had been applied before he came to Dixmont?

A. No, sir; I didn't see it used.

Q. Do you remember what Carroll's insanity was about; what hallucination he had in his mind—can you recollect?

A. Yes, sir.

Q. Just state it.

A. He was very much excited in regards to Bob Ingersol; and also said he had devils in his throat.

Q. Did you ever see him trying to get the devils out of his throat?

A. Yes, sir; he used to work to get it out.

Q. How would he manifest it?

A. Well, with his hands, so, [describing.]

Q. I want to ask you now to give us an opinion about the treatment of the insane at Dixmont, both their medical attention and the attention and care and kindness of the attendants, as compared with other institutions that you have seen.

A. Well, I think it is good in every respect, both in the medical treatment and in the care of the attendants. I think they have all the medical treatment and care they can get under the circumstances. The doctors are always on hand at any time they are called, and are liable to come through the halls at any time unexpectedly.

Q. How are the rules in reference to the visits of the physicians, and the stringency of the guard or care over the attendants, as compared with the institution you are now connected with?

A. Well, they are pretty much the same.

Q. Which has the stricter ruling?

A. Dixmont.

Q. Is the institution at Trenton, that you are now connected with, as large as Dixmont?

A. Yes, sir; it is as large as Dixmont; not as high a building, but we cover more ground.

Q. Has it as large a population?

A. Yes, sir.

Q. You had no difficulty with Parks?

A. Never had.

Cross-examination :

By Major Walker :

Q. What kind of an institution is at Trenton—a State institution or private?

A. State institution.

Q. How many inmates have they?

A. On our side of the house we have about three hundred and thirty.

Q. That is, on the male?

A. Yes, sir.

Q. How many on the other side?

A. I could not say.

Q. Do you know what the population is then?

A. It runs very near six hundred.

Q. Be nearly three hundred on the female side?

A. Yes, sir.

Q. How many wards are there on the male side?

A. Twelve.

Q. How many attendants for each ward?

A. Some there is two, and some three, some four.

Q. Regular attendants in each ward?

A. Yes, sir; regular attendants.

Q. Do you know anything about the number of attendants on the female side?

A. No, sir; I don't.

Q. How long have you been at Trenton?

A. I have been three years there in July coming.

Q. What is your business there?

A. Well, I am extra attendant, and also assist the supervisor.

Q. What are your duties?

A. My duties are to get the clothes for them, mark them, and everything like that. Then, if there is an attendant away, and no other extra to take his place, I go to the hall and assist while he is away.

Q. How many physicians have they there?

A. Three.

Q. How many in the male department?

A. In the male department we have one physician.

Q. One in the male department?

A. Yes, sir.

Q. How many in the female?

A. One.

Q. Still you have three?

A. The head doctor is not supposed to go through the halls. We have a head doctor and two assistants.

Q. Why did you leave Dixmont?

A. I left Dixmont because they paid me my money.

Q. Mr. McConnell, was there any special reason why you left there?

A. Yes, sir; there was.

Q. I wish you would just narrate it, if you please.

A. Well, I came up to the city on Sunday morning, and got around with some of the boys, and I got more in me than was good for me, and the doctor seen me and discharged me.

Q. Did he see you here in Pittsburgh?

A. No, sir; he didn't.

Q. You got full here in Pittsburgh?

A. That is where I got it.

Q. Were you an attendant at the time?

A. Yes, sir.

Q. What time did you get back to Dixmont?

A. Well, I went back on the church train.

Q. Who was with you?

A. Well, there were other parties with me.

Q. Who from Dixmont was with you?

A. Well, I couldn't tell you who all, now; Mr. Harper was with me.

Q. Was there any person else—any attendant or officials?

A. On the train?

Q. With you, in your party?

A. No, sir.

Q. No person but you and Harper?

A. No, sir; the rest of the folks was all from the city.

Q. Had Harper been drinking with you?

A. Well, he wasn't with me all the time; I seen him take a couple of drinks.

Q. How many more than a couple of drinks did you see him take?

A. That is all I seen him take.

Q. Had he been drinking any more than those two?

A. I can't say.

Q. Were you in such a condition you could tell?

A. Yes, sir.

Q. What would be your impression—whether he had drank more or not?

A. I should say he hadn't.

Q. Did you and him come together from Dixmont?

A. Well, we come up in the train together.

Q. Where did you leave him when you got here?

A. At the depot.

Q. Where did you go?

A. I came across to this side—to the city.

Q. On the Pittsburgh side?

A. Yes, sir.

Q. Do you know where Harper went?

A. No, sir.

Q. What time did you get here?

A. I couldn't say about what time it was now.

Q. What time did the train leave Dixmont?

A. I think about nine o'clock—some place about nine.

Q. You would get here about half-past nine?

A. I suppose so.

Q. You left him at half-past nine?

A. That is as near as I can give it.

Q. At the Allegheny depot?

A. Yes, sir.

Q. Do you know where Harper went?

A. I couldn't tell you for certain where he went; he told me he was going up to Asylum alley to see some friends he had.

Q. After you left Mr. Harper, at the Allegheny City depot, at half-past nine, when did you next see him?

A. I suppose it must have been pretty near twelve o'clock.

Q. Whereabouts?

A. On the bridge.

- Q. Were you coming over and you met him ?
A. Yes, sir.
Q. Did you and him go together any place, then ?
A. The only place him and I was in together —
Q. No—no ; understand me ; you met on the bridge ?
A. Yes, sir.
Q. Where did you go from the bridge ?
A. Back to the depot.
Q. To the Allegheny City depot ?
A. Yes, sir.
Q. He turned around and went back with you ?
A. Turned around and went back with me.
Q. At half-past twelve o'clock ?
A. About twelve o'clock.
Q. How long did you remain at the depot ?
A. But very few minutes there, at that time.
Q. Where did you go to ?
A. Went across the street.
Q. Did you get a drink when you went across the street there ?
A. Yes, sir ; that is what we went for.
Q. Did you get more than one drink when you went across there ?
A. We got two drinks there.
Q. How long did you remain there ?
A. Not very long, for we didn't have a great deal of time.
Q. How long ?
A. I couldn't tell now the exact time ; I suppose fifteen minutes.
Q. Mr. McConnell, what did you drink when you went there ?
A. Why, I drank whiskey.
Q. What did Harper drink ?
A. I couldn't tell what Harper did drink.
Q. What time did you leave Allegheny City depot for Dixmont ?
A. I think that train went out about 12.40, if I remember right.
Q. Did you go out, Mr. McConnell, on the 12.40 train ?
A. Yes, sir.
Q. For Dixmont ?
A. Yes, sir.
Q. You are sure of that ?
A. I am certain of it ; yes, sir.
Q. Harper went with you ?
A. Yes, sir.
Q. What time did you arrive at Dixmont ?
A. It was coming pretty near one o'clock.
Q. Did you meet Doctor Wylie or any of the other officials at the station ?
A. I met Doctor Reed.
Q. Did Doctor Reed say anything to you at the station ?
A. Yes, sir.
Q. What did he say ?
A. He told me he would discharge me.
Q. Told you that at the depot ?
A. Yes, sir.
Q. Did he say anything, to your knowledge, to Mr. Harper ?
A. No, sir.
Q. Was Harper with you ?
A. He was close by.

Q. Wasn't you satisfied, going to Dixmont in the condition you were in, that you would be discharged?

A. I was satisfied I would, provided any of the officers would see me—I was satisfied I would be discharged.

Q. They did see you?

A. Yes, sir.

Q. Mr. McConnell, where did you go to from the station?

A. Went up to the house.

Q. Well?

A. Went up to the house, sir.

Q. Up to the asylum, did you?

A. Yes, sir.

Q. Whereabouts did you go when you went up there?

A. Went into one of the parlors.

Q. Any place else?

A. No, sir.

Q. One of the parlors in the front part of the building?

A. Yes, sir.

Q. Whom did you see there?

A. I saw Mr. Caldwell.

Q. Where was Doctor Reed?

A. I didn't see him.

Q. Did Mr. Caldwell say anything to you?

A. Yes, sir; he told me I was discharged.

Q. He had already seen Doctor Reed?

A. Yes, sir; he went up in the carriage a little quicker than I did.

Q. Who went up with you?

A. Mr. Harper went up with me.

Q. Were you pretty well overcome with the effects of what you had been drinking, so that it showed itself?

A. They said they could see it.

Q. Had you any doubt about it yourself?

A. I don't suppose I had.

Q. Mr. McConnell, when did you see Doctor Reed after you got up there?

A. I didn't see him.

Q. Didn't see him at all?

A. No, sir.

Q. How long did you remain in the parlor?

A. I suppose fifteen or twenty minutes, maybe half an hour.

Q. Did you get your discharge from Mr. Caldwell?

A. Mr. Caldwell told me I was discharged by Doctor Reed.

Q. This was on Sunday?

A. On Sunday.

Q. Did you get your pay then?

A. No, sir.

Q. Where did you go from there?

A. Well, I went down to Glendale.

Q. Mr. McConnell, did you go into the rear part of the asylum?

A. No, sir.

Q. Then you testify that you went from the station up into the asylum, into the parlors, and from there to Glendale?

A. Yes, sir.

Q. That is your answer to that?

A. Yes, sir.

Q. When did you receive your pay?

A. On Monday morning.

Q. How long, Mr. McConnell, were you employed at Dixmont?

A. Well, I went there November, 1878, and on December, 1879, left there.

Q. About one year?

A. Yes, sir; it was short of a year.

Q. Was there ever an occasion, during the whole time that you were at Dixmont, that Doctor Reed, Doctor Wylie, or Doctor Hutehison, or Mr. Caldwell, ever said anything to you about drinking, or want of attention to your business?

A. No, sir.

Q. That was the first and only time?

A. The first and only time.

Q. You were in No. 1 about three weeks when you first went there?

A. Yes, sir.

Q. You were then transferred to No. 8?

A. Yes, sir.

Q. Do you know, of your own knowledge, of any maltreatment or abuse that occurred in No. 1, in reference to the testimony of Mr. Parks, as far as Carroll is concerned, or any other person in No. 1?

A. No, sir.

Q. You don't know anything about No. 1?

A. No, sir.

Q. Your knowledge commences when the parties were brought to No. 8?

A. Yes, sir.

Q. Who were the attendants in No. 8 besides yourself?

A. Mr. Harper and Mr. Brown.

Q. Mr. Brown and Mr. Harper?

A. Yes, sir.

Q. Was Parks there at any time?

A. No, sir.

Q. Was Parks assistant supervisor?

A. I believe he said he was assisting Mr. Caldwell part of the time.

Q. Did he have the entree of No. 8 whenever he saw proper to go in there?

A. I couldn't say in regard to that.

Q. Don't you know what the rules of the asylum was?

A. Well, the rules of the asylum was that if a man had business and got a permit to go any place, he could go; if not, not.

Q. Had Parks the right to go into ward No. 8 without a written permission?

A. I don't believe he had.

Q. Did Mr. Caldwell?

A. Yes, sir.

Q. How do you know that?

A. He was an officer.

Q. Wasn't Parks an officer, subject to Caldwell?

A. He was in some respects—

Q. How did Parks go there—somebody carry him in?

A. He had the keys.

Q. What I mean, could he go into No. 8—did he have keys?

A. Yes, sir.

Q. Now, he having the right to go into ward No. 8, you frequently saw him there?

A. Yes, sir ; I saw him there.

Q. Do you know whether Mr. Parks was in ward No. 8 at the time Mr. Carroll was taking the bath ?

A. No, sir ; he wasn't in there.

Q. Whereabouts is the bath-room ?

A. No. 8.

Q. Yes, sir.

A. Well, it is right down at the further end of the hall, the left-hand side.

Q. In administering the bath to Mr. Carroll, who were the attendants that assisted ?

A. Mr. Harper.

Q. Mr. Harper and yourself ?

A. Yes, sir.

Q. Were you in the bathing-room when you were administering the bath to him ?

A. Yes, sir.

Q. Can you see the ward while in the bathing-room ?

A. You can by stepping to the door—stepping to the bath-room door you can see either end of the hall.

Q. Can you see clear down ?

A. By stepping to the hall and looking up and down.

Q. But there is two doors—one leading into the little vestibule ?

A. No, sir.

Q. And it wouldn't be possible that Parks was in the ward without your knowing it ?

A. He wasn't in the bathing-room ; I know that.

By Mr. McNeill ;

Q. Might he not be some place he could see what was going on in the bathing-room ?

A. No, sir ; he could not.

By Major Walker :

Q. Mr. McConnell, you have stated here to Mr. McKenna that upon the examination of the person of Mr. Carroll while taking a bath there were no bruises upon his person ?

A. No bruises.

Q. You are perfectly sure of that ?

A. Yes, sir.

Q. No abrasions of any kind to show that he had been abused ?

A. Do you mean by kicking and striking ?

Q. I don't know what might be done him ; was there any marks of any kind ?

A. There was marks of a blister.

Q. I only ask you whether there was any marks or abrasions of any kind when he was disrobed ?

A. I remember of seeing that.

Q. You stated to Mr. McKenna that there was none ; I only wanted to refresh your recollection.

A. I saw that.

Q. In giving the bath to Mr. Carroll, did you use a brush ?

A. No, sir.

Q. Did any attendants use a brush ?

A. I couldn't say in regard to the other halls.

Q. There was no brush in No. 8 ward ?

A. No flesh brush in No. 8 at all.

Q. You are sure?

A. Sure; yes, sir.

Q. Do you know anything about the altercation that occurred between Parks and Inman, in reference to the broom?

A. No, sir; I don't know anything about it.

Q. Do you know anything about the altercation that Parks and Inman had, in which Parks' thumb was bitten?

A. No, sir.

Q. Know nothing about that?

A. No, sir.

Q. And the only information you have is in reference to ward number eight?

A. That is all.

Q. You have testified, I believe, that you never saw Parks abuse a patient.

A. Never saw him abuse a patient.

Q. Have you read his testimony?

A. Yes, sir.

Q. Do you remember where he states in his testimony that he did?

A. He spoke something about that.

Q. Did he say so?

A. I believe he said that he had.

Q. That he had abused a patient?

A. Yes, sir.

Q. Could such a thing occur without your knowing it?

A. In number one, yes, sir.

Q. I understand that it is a violation of the rules if it had been done.

A. Such a thing could not have been done in number eight, not by Mr. Parks.

Q. Were you in there the entire twenty-four hours?

A. Well, I was in there twenty-four hours, in our rooms and bed, excepting the time we are off on permission.

Q. That is what I want to get at; isn't there a portion of the twenty-four hours you are not there?

A. A portion that I wasn't there.

Q. Couldn't such a thing occur during your absence?

A. Yes, sir; it could have occurred during my absence.

Q. How long after you left Dixmont, did you go to the Trenton Asylum?

A. Next July coming, I think.

Q. Had you any recommendation from Dixmont?

A. No, sir.

Q. You were subpoenaed here by the Dixmont Asylum?

A. Yes, sir; telegraphed to come here.

By Mr. McKenna:

Q. Did Parks ever show you his thumb in the eighth ward at all?

A. No, sir; he never did.

Q. You came voluntarily here, on hearing your name mentioned?

A. Yes, sir.

Q. Just got a dispatch?

A. Just got a dispatch.

Q. From whom?

A. Dispatch from Doctor Reed.

By Mr. McCrum :

Q. I understand you to say, Mr. McConnell, that you saw no marks on Carroll's body except those marks of the blister on his back?

A. That is all I seen.

ROBERT C. LOOMIS, a witness, who appeared before the committee and being duly sworn, testified as follows :

By Mr. McKenna :

Q. I wish you would state what your official connection is to Dixmont, and has been.

A. I am secretary, now, to the executive committee, and have been since 1877.

Q. How long have you been connected with the board of managers?

A. I went in in 1866.

Q. How long have you been in Pittsburgh?

A. Since 1881, sir.

Q. Mr. Loomis, state if, as secretary, you have preserved your minutes.

A. I have, sir; yes, sir.

Q. Do you remember the investigation on the charges preferred by one John W. Carroll, of maltreatment at the asylum, a year or two ago?

A. Yes, sir.

Q. Was there an investigation ordered by the board in response to that communication?

A. Yes, sir.

Q. Just explain, in your own way, how the investigation came about.

A. Well, a meeting was held on the 18th November, 1879. The president of the board, Mr. Harper; the chairman of the committee was there also—Mr. Bissell, and myself. I will now read the minute of the investigation that was made at the meeting. [Here the witness read the minute.]

Q. Who composed that committee?

A. The president of the board, Mr. Harper; the chairman of the executive committee, Mr. Bissell, and myself.

Q. Then it was in response to the reports in the public papers that gave rise to the investigation?

A. Yes, sir.

By Mr. McNeill :

Q. Was it after Mr. Carroll left the institution?

A. Yes, sir.

By Mr. McKenna :

Q. Was that all the minutes that were connected with the Carrolls?

A. That is, from this back; there may be other minutes.

By Mr. McCrum :

Q. In this investigation you didn't send for Mr. Carroll?

A. No, sir; we wanted to see if the attendants had done their duty, and whether it was true, as charged, that the hospital had abused this man.

By Mr. McKenna :

Q. You have no power to administer an oath?

A. No, sir.

By Major Walker :

Q. Is it not stated in your minutes that there was evidence of brutal treatment by some person?

A. No, sir.

By Mr. McKenna :

Q. Who conducted the investigation? Who propounded the questions?

A. It was, perhaps, Mr. Harper and Mr. Bissell; they may both have taken part in the investigation before us.

Q. This investigation was merely started by newspaper reports, and not on the motion of Mr. Carroll or any person in his behalf; they didn't make any charges against the institution?

A. It was simply what was in the public prints which he had seen.

Q. If Mr. Carroll had preferred complaints, you certainly would have given him notice of the time and place?

A. Certainly.

By Major Walker :

Q. Why didn't you call Mr. Carroll?

A. He had gone from us.

Q. It was *ex parte* entirely; you called and examined witnesses yourself?

A. Yes, sir; nobody else.

Q. You are secretary of the executive committee?

A. Yes, sir.

Q. I want to ask you what the duties of the executive committee are?

A. The executive committee are to be consulted in reference to all matters relating to the institution.

Q. Was there a finance committee appointed from the executive committee?

A. No, sir.

Q. How are they appointed?

A. Appointed by Mr. Harper, the president of the board.

Q. There are, then, two committees, distinct?

A. All together.

Q. How many are there on the finance committee?

A. Well, I don't know that we can say we have a finance committee; it is customary for this committee—the executive committee—to order things to be done, things to be purchased, and all that sort of thing, and we investigate the bills.

Q. Who audits the accounts?

A. They are generally audited by Mr. Harper, as a rule, George A. Berry, president in one of the banks, and Alexander Nimick, the president of another one, and——

Q. How many are appointed to audit the accounts?

A. Three.

Q. Are they known as an auditing committee or finance committee?

A. They are always called in the closing of our accounts every year, to have them investigated.

Q. In ordering these different purchases, does this committee sign the order?

A. No, sir; Doctor Reed does that.

Q. Where does he get his authority?

A. From this committee; he gets it every week.

Q. Has he unlimited authority to purchase supplies?

A. Yes, sir; we overlook the bills; we don't pass a bill if we consider it unjust.

Q. But he has unlimited authority to order what he pleases?

A. Yes, sir; but he has nothing to do with the paying—that is through this committee.

Q. How is it paid?

A. By the executive committee drawing their warrant on the treasurer.

Q. How many are there of the executive committee?

A. Five or six.

Q. How many must sign a warrant?

A. Three must sign a warrant; a warrant is not passable, and not current, if not signed by three.

Q. Do they ever pay a warrant if less than three sign it?

A. No, sir.

Q. It wouldn't be legal?

A. No, sir.

Q. Are you satisfied there is no such thing ever occurs?

A. There is no warrant drawn, except drawn by the committee and signed by three.

Q. Then it is a violation of the rule or law if signed by less—the general law?

A. I have never known of a warrant to be paid, unless signed by three members of the committee.

Q. Was you present when Doctor Reed was examined?

A. No, sir; I was not.

Q. I show you the report made to the Auditor General—how many does it require on that?

A. I don't know anything about what it requires. We sign this report that is made to the Legislature, and it is generally signed by three. I think the one before the last was signed by two of us here in the city, and sworn to.

Q. Does not the rule of the asylum require three to sign this?

A. The rule says nothing as to such reports. There is no rule says anything about it at all. It is a State act.

Q. Don't the State act require three?

A. I don't know that it does. That has no bearing, though, on the management of the hospital. There is no debt in that paper reported to the Legislature but what has been paid on a warrant with three names to it. The debts are all paid on warrants signed by three of the committee.

By Mr. Graham:

Q. You testified a moment ago that Doctor Reed had unlimited power to order any kind of supplies—anything that was necessary. Do you mean merely ordinary supplies for the patients, &c.? If there were any extraordinary expenses, would he have a right to order them without consulting the board?

A. He would not have the right to make any contract.

Q. What you mean is groceries, &c.?

A. Yes, sir. There may be two statements to the Auditor General that we signed that way, brought up here and signed. That report was delayed beyond its time. Doctor Reed was sick. It lay beyond its time, and I didn't know it required three of us to sign it.

Q. You are positive that the warrants for moneys paid out require three members of the committee always to sign it?

A. Yes, sir; we give no warrant unless the bills have been investigated by the committee. All warrants are paid by the treasurer when we get them.

By Major Walker:

Q. Who makes out this statement to the Auditor General?

A. The clerk at the hospital.

Q. Who certifies to it?

A. I see that the additions are correct and agree with our books, but I don't know anything as to the requirements of the law in respect to the executive committee in making the return to the Auditor General.

Q. How do you sign it?

A. I sign it because I see the amounts stated to have been expended agree exactly with our books, which we keep here. I certify that the money paid according to that is true.

Q. Don't the law require some official to certify to it?

A. I am an official.

Q. All I want to know is whether you are not required to do it?

A. No, I am not; some of the committee must do it.

Q. Somebody must?

A. Yes, sir.

Q. Are you sure of it?

A. No, I am not; I don't know nothing about the law.

By Mr. McNeill:

Q. You understand that any responsible party was sufficient—anybody connected with the executive committee?

A. Yes, sir.

By Major Walker:

Q. I want to know whether the rules of Dixmont Hospital require a portion of the committee to sign these reports to the Auditor General?

A. I am ignorant of that. The written rules of the institution require three members to sign a warrant before they are paid.

Q. You have all certified that the foregoing is true?

A. In amount it is true.

Q. What I desire to know is whether the rules of Dixmont Hospital require some portion of the executive committee to certify to the Auditor General these facts contained in here?

A. I don't know that Dixmont has any such law.

Q. You don't know whether it is right or wrong?

A. I know the amounts of money, reported to the Auditor General as having been paid, is right, because every day we issue warrants we take it off into a book and have them classified.

Q. Don't the Auditor General require some official of Dixmont to sign it?

A. If he is not satisfied with that he can send it back.

Q. Why do you sign it?

A. Because I was told it was wanted to inform the Auditor General of the amount of money we paid.

Q. It is an evidence that it is true when the officials sign a warrant?

A. Yes, sir.

Q. Would it be correct if the officials didn't sign it?

A. I would take it that way.

Q. How about this?

A. I don't know anything about it. I know the treasurer here can't pay anything unless on a warrant signed by three members of the committee.

Q. In all these reports that go to the Auditor General, are they not signed by some member of the executive committee?

A. Yes, sir.

Q. That you know to be true?

A. Yes, sir. I don't consider that is any part of our business, other than to make oath to the figures on it in reference to the amount of money that is spent.

By Mr. McKenna:

Q. In the seventeen years you have been connected with the hospital, did you ever know of this requirement until lately?

A. Not until lately.

Q. You know these statements are correct, and not any wrong statement is ever sent to the Auditor General?

A. I keep an account, and everything is correct.

W. S. DOWNEY, a witness appearing before the committee, who being first duly sworn, testified as follows:

By Mr. McKenna:

Q. State if you have been an attendant at Dixmont for some time.

A. I have for one year.

Q. The year past?

A. Yes, sir; I left the institution last week.

Q. You resigned, did you?

A. Yes, sir.

Q. Do you know of some of the other gentlemen resigning?

A. Yes, sir; I think there was two resigned at the same time.

Q. I wish you would state your own intention, and the intention of the other two for resigning.

A. My intention was to go to my home in Kalamazoo, one of the other two got a farm in Iowa, and the other went to Chicago.

Q. I wish you would state if you were waiting here to testify before this investigation, and if whether or not there was a sudden stampede of the attendants to avoid testifying before this committee.

A. There is nothing of the kind. Mr. Campbell left to take that farm in Iowa, and the other had been there some time and was tired, and wanted to go into different business.

Q. Do you know whether the presence of this investigating committee had anything to do with their leaving?

A. Nothing whatever.

Q. Do you know of any of them complaining they would have to avoid testifying before this committee?

A. No, sir; not a word.

Q. They were willing to come and testify?

A. Yes, sir; they intended to; that is, if they were called, but they purchased tickets and had to leave.

Q. They purchased tickets for the west and had to leave yesterday?

A. Yes, sir; parties couldn't wait any longer; what I mean is they were willing to testify; they were not going away on account of the investigation.

Q. Mr. Downey, have you had experience in other insane institutions?

A. Yes, sir.

Q. Just explain how that is.

A. I was employed four years in Michigan State Asylum, in Kalamazoo.

Q. As an attendant?

A. As an attendant.

Q. I wish you would state to the committee here the comparison that you make between the Dixmont management and the attention to patients, and the care, with that institution.

A. Well, I don't like to say anything against the other institution. but Dixmont is better furnished, the wards are better furnished, and the patients are better clothed, I think, than they were there, and the water facilities for bathing and washing are better at Dixmont.

Q. Just state, in the year you have been at Dixmont, what you have observed with regard to their rules, and the medical attention they get.

A. In regard to the first part, the rules are a great deal stricter. As far

as the medical treatment is concerned, I don't know that it is any better. The doctors seem to be interested in both places. If a patient was taken sick in the night we always called on the physicians, and they came at once.

Q. In reference to the restraint of patients, and force that is necessary to be applied, just state if there is any difference in Dixmont from that institution—if there is any unnecessary force used.

A. There is none used. There is less restraint in Dixmont than at the other asylum.

Q. Why?

A. I don't know. Doctor Wylie always cautioned us to use as little restraining as possible. In the other place we had more liberty for restraining patients than we had at Dixmont; that is why we restrained them oftener.

Q. In other words, you had no liberty to restrain them yourself?

A. No, sir; except through the doctors.

Q. The other place the attendants could be the judges of that?

A. Yes, sir; they could.

Q. I wish you would state if, during the year you was there, you saw any cases of cruel, brutal treatment, or injuries inflicted upon them.

A. I never did.

Q. What ward were you in?

A. The ninth, and a month in No. 8, and three months in ten.

Q. The eighth—isn't that the ward where the violent patients are?

A. The eighth is considered one of the worst wards in the building.

Q. According to their mental condition?

A. Yes, sir.

Q. How many, on an average, are under restraint in that ward?

A. I have had charge of the patients in the ward, and there was a great many days I never had a patient restrained; then there was other times perhaps I had two; in case a new patient came in, and was violent, and had to be restrained, and to keep from hurting himself and other patients. I can remember of running a ward a long time, and not having a patient restrained.

Q. Is the position of an attendant there attended with much danger and risk of injury in an institution of that kind—from patients, I mean?

A. Yes, sir.

Q. Do you know of any cases of that kind?

A. I know of one of the doctors in an asylum being stabbed to death by a patient, and one of the attendants, a little over a year ago.

Q. The handling of the insane, then, requires great vigilance?

A. Requires great care and vigilance; you can't trust them.

Q. The attendants must be always on their guard?

A. Always on guard.

Q. Standing in the bath-room, in the eighth ward, that you were in, could you see the whole length of the corridor clear through?

A. Yes, sir.

Cross-examination:

By Major Walker:

Q. Why did you leave the asylum?

A. I am tired of the business and wanted to get into something else.

Q. Think you can do better?

A. Yes, sir.

Q. What pay did you get?

A. Twenty-two dollars and a half a month.

Q. A man of your physique and ability can do much better?

A. Well, I don't know; among strangers it is necessary to have good recommendations; sometimes it is hard.

Q. Do you consider, Mr. Downey, for the risk you run as an attendant in an asylum, with all the duties that are required of you, that twenty-two dollars and a half is sufficient pay for you?

A. No, sir; I don't.

By Mr. McKenna:

Q. You know of no inducements held out to attendants to leave?

A. None whatever.

Mrs. AMANDA MOFFAT, a witness appearing before the committee, who being duly sworn, testified as follows:

Examination by Mr. McKenna:

Q. Where do you live, Mrs. Moffat?

A. I live at present on the South Side, Pittsburgh.

Q. How long have you been a resident of Pittsburgh and vicinity?

A. All my life.

Q. You can state, Mrs. Moffat, in your own way, if you were ever afflicted so that you had to be sent to Dixmont?

A. I was; yes, sir.

Q. Just state when.

A. Well, I think it was about 1879, on March 5th; I know I was taken there, and I was there until June 5th—three months.

Q. You may describe what you saw there, and what kind of treatment you received.

A. Very good in every respect; I, for my part, had the very best medical attention and attention from the nurses, and all the attention that Mrs. Reed and the Doctor could give, in fact—Doctor Wylie, and Doctor Ayres, and Doctor Hutchison. I can say conscientiously that I owe my whole life to the institution; I had been given up by several of the leading physicians in the city; of course, my folks didn't like to hear of me going away, but it was the last resort; after I returned to consciousness Doctor Reed came to my room and told me how bad I had been; that I didn't realize I was so near dead until I came home.

Q. What ward were you in?

A. Well, they told me that I was first taken to the fifth; I don't remember that at all, and then I was in a ward—I don't rightly remember the ward I was in until I was taken to the second ward; I was perfectly conscious when I was taken there. I returned to consciousness on Sunday morning, and on Monday morning the Doctor had me removed to the second ward; I wasn't able to walk and they carried me.

Q. Were you violent?

A. I suppose I was; it is a blank to me.

Q. It is all a blank to you?

A. Yes, sir; they told me afterwards when I waked up that Sunday, that I broke all the windows in the room, I don't know; I don't remember anything of it—but I never was violent after I returned to consciousness.

Q. Had you facilities whilst there, and while you were convalescent and able, to write to your friends?

A. Yes, sir; I did write.

Q. You availed yourself of the opportunity?

A. Yes, sir.

Q. Do you know of the other patients having the same privilege, and exercising it?

A. Yes, sir.

Q. There was no restraint on that ?

A. No, sir ; not that ever I saw—unnecessarily.

Q. I wish you would state what your observation was about the attendants ; you stated they always treated you well. Did you see, during your stay there, any signs of maltreatment or abuse ?

A. I never did.

Q. On the part of the attendants ?

A. I never did.

Q. You had opportunities when you were restored to consciousness to observe it ?

A. I had—I had full liberty of going in and coming out, and on one or two occasions, I went to the other wards with the nurses, when they were distributing medicine in the evening.

Q. Did you ever hear of any stories of maltreatment ?

A. From the patients, I have ; yes, sir.

Q. Well, what would you say about believing such stories ?

A. Well, I didn't believe them, of course ; I didn't contradict them because they believed it. There was one lady there, I believe her name was Sell, she told me they had tramped her toe off ; I didn't see—I don't know it ; I know she was very much opposed to bathing, and they always had trouble in getting her to bathe.

Q. You found many, I presume, inmates there that had notions of that kind ?

A. A great many ; they didn't always have the same, but every one had their peculiar delusion.

Q. How about the food ?

A. The food was very good.

Q. Enough of it ?

A. Plenty, just as much as every person could eat.

Q. How often did Doctor Hutchison and Doctor Ayers—you say Doctor Ayers was there ?

A. Yes, sir.

A. How often was he required, or did he, go through the ward ?

A. Oh, I couldn't tell how many times in a day ; he came very often—maybe three or four times during the day.

Q. Did you observe what attention the sick and feeble patients received ?

A. Well, if there was any person sick, and it was necessary for the doctor to come, they always come, that I saw.

Q. Was there any provision for the nurses sitting up at night ?

A. Yes, sir ; I remember when I was taken up to the second ward, I was perfectly conscious, and before that they had been sitting up every night, they still sat up with me until I told the doctor myself that it wasn't necessary for the girls to keep sitting up any longer ; he said if I didn't need them they need not do it. I said I didn't need them at all, and so after that they didn't, they didn't exactly sit up, they pulled the couch up by me and lay on that and if I would get up during the night they would be up, too.

Q. Was there opportunities of recreation ?

A. Yes, sir ; reading matter, the piano, melodeon, and organ.

Q. Would the patients avail themselves of them ?

A. Yes, sir ; very often.

Cross-examination :

By Major Walker :

Q. You were confined by reason of ill-health ?

A. Yes, sir ; general debility.

Q. You were not there as an insane patient ?

A. Yes, sir ; when I was taken there I was perfectly insane.

Q. I think you stated you were unconscious ?

A. I was unconscious, but I have been told since, that for about two months before I was taken there the doctors had given me up.

By Mr. McKenna :

Q. You mean by that you were incurable ?

A. Yes, sir.

By Major Walker :

Q. At the time you arrived you were unconscious ?

A. Yes, sir.

Q. And the next Sunday morning you regained your consciousness ?

A. No, sir ; not the next Sunday morning ; I was taken there the 5th day of March ; I don't know how long I remained unconscious, but it was on Sunday morning I regained consciousness, because I could hear the patients in the hall talking, and could tell from their conversation it was Sunday morning.

Q. Have you any way of telling the length of time you were unconscious ?

A. No, sir ; I have not.

Q. You partook of food during that time ?

A. I don't know ; they told me I took everything they brought to me.

Q. You have no recollection as to the length of time ?

A. No, sir.

Q. As to whether it was a week or two ?

A. It was more than that.

Q. About how long ?

A. I suppose, maybe, three weeks or a month.

Q. That you were unconscious ?

A. Yes, sir ; it may not have been so long. I wouldn't say for sure, because I don't really know.

Q. After you regained consciousness until after you left the asylum, were you insane ?

A. Not from the time I awoke to consciousness ; I was perfectly conscious.

Q. During those three weeks you would have no opportunity of knowing what occurred there ?

A. No, sir.

Q. It would be only the balance of the time ?

A. Yes, sir.

By Mr. McKenna :

Q. What doctors did you have ?

A. Doctor Patton. I have receipts at home. I don't recollect the other doctor's name.

By Mr. McCrum :

Q. You were sent there as a pay patient ?

A. Yes, sir.

Q. Would be likely to receive different treatment from pauper patients ?

A. There was pauper patients in our ward, and I never saw any difference. We all went to the dining-room together.

Q. You say there were pauper patients there ?

A. Yes, sir.

Q. How do you know ?

A. I was told so.

Q. You all sat at the same table?

A. Yes, sir; there was two tables in the dining-room.

Q. No distinction made?

A. No distinction that I saw. Of course, if a patient was sick, there would be some little extra—a saucer full of jelly, or some little dessert.

Q. Did your friends come to see you?

A. They came there; I wasn't fit to see them for some time.

Q. Was there any difficulty in your getting out?

A. Not that I know of.

Q. Your friends took you out?

A. Yes, sir.

By Major Walker:

Q. Who told you that there were pauper patients there?

A. The attendants and the patients themselves.

Q. The nurses told you?

A. Yes, sir.

By Mr. McKenna:

Q. How did you come to testify here?

A. When I first saw that they were investigating Dixmont, I had a feeling of gratitude for the place, and I went to the Monongahela House, and I waited there from eleven o'clock until three o'clock on the first Saturday; and when the investigation commenced I still watched the papers. I had sent my card to Doctor Wylie; so he came and called on me last Saturday, and told me it was a matter of pleasure whether I came or not.

Q. That is why you came?

A. Yes, sir.

Mrs. SUSANNA RUSSELL, a witness who appeared before the committee, and being duly sworn, testified as follows:

By Mr. McKenna:

Q. Where do you live?

A. At Braddock's.

Q. How long have you lived there?

A. Sixteen years, I think.

Q. I wish you would state if it ever became necessary to send you to Dixmont by reason of a mental affliction.

A. Yes, sir; I went in Dixmont in 1866.

Q. How long did you remain there?

A. I went on the 3rd of May, and came away the middle of August?

Q. Was your affliction violent?

A. No, sir.

Q. What physicians recommended your being sent there?

A. I couldn't tell.

Q. Mrs. Russell, now just state what you observed in Dixmont in reference to your treatment and the treatment of the other patients there.

A. I was always treated kindly; I think I was treated better, sometimes, than I deserved.

Q. Was that by all who were there?

A. By the nurses and by the physicians. Doctor Grayson was the physician.

Q. Doctor Grayson was the physician in charge of the female department?

A. Yes, sir.

Q. Just state the manifestations of kindness that you received.

A. Well, I was there from May until the 4th of July, and took very sick, and I was then three weeks rather unconscious, and don't remember

everything distinctly. They sat up with me, I believe, every night of the three weeks.

Q. Who—the attendants?

A. The nurses—yes, sir.

Q. Then you recovered your senses, and knew what was going on?

A. Yes, sir; it came gradually. The first I remember, Doctor Reed came in. He said to the nurses that there was a change, and that I was better. He asked me if I knew him. I knew his face, but I could not name him; then I asked a patient in the room next to me—there was an opening between—a small opening like a window—asked her who that was, and she said Doctor Reed; and the next morning, when he came back, I told him that I knew him.

Q. Did you ever see, while you were there, or know of, any maltreatment or unkindness shown patients?

A. No, sir; I didn't; nothing unnecessary. Of course I was in the first ward at that time; part of the time I was in the first ward. They had to use some restraint; they were strict with me, yet they were kind to me.

Q. You saw no one abused?

A. No one used any better, and no one used any worse; if there was anything extra, I had it; of course I didn't eat all that was allowed the others to eat; I was refused things many a time that I wished—pears, and apples, and so on; when they brought them into the ward, I was not allowed to have it. Of course it seemed very hard, but the doctor didn't allow it; but afterwards I was allowed something else in place of it.

Q. Were you allowed opportunities to correspond with your friends?

A. Oh, yes; I had; and did write.

Q. Did you receive letters?

A. I don't know whether I did; Mr. Russell always wrote to Doctor Reed; Doctor Reed would tell me when he would get a letter. I could not speak, or ask any questions, or understand everything they said when he would talk to me. He always told me when he got a letter.

Q. You came here voluntarily?

A. No, sir; not exactly; Doctor Sandles—

Q. I mean you haven't been subpœnaed?

A. No, sir.

Q. Who is Doctor Sandles?

A. He is a physician in Braddock's.

Q. How did he come to notify you?

A. He was taking a lady down to the asylum, and Mr. Russell wrote to the asylum to get information for this patient—

Q. Your family physician advised you to come here and testify?

A. Doctor Reed wrote to him, I believe, and then he asked me to come. I told him I didn't like very well to appear before the committee, but he said that I must come. He had often heard me speak of the kind treatment and the good condition of the hospital.

Cross-examination:

By Major Walker:

Q. Were you a pay-patient, Mrs. Russell?

A. Yes, sir.

Q. You had your consciousness the whole time you were there?

A. Well, I can't remember everything distinctly, but almost everything that occurred except the three weeks that I was sick.

Q. Were you most of the time confined to your room?

A. No, I had the privilege of the hall.

On motion of Major Walker, adjourned until two o'clock.

And now, to wit: Tuesday, March 20, at two o'clock, P. M., committee met pursuant to adjournment.

Present: Chairman McCrum, Senator McNeill, Representatives Walker and Graham, C. F. McKenna, Esquire, of counsel for respondent, and witnesses.

W. S. BROWN, a witness, who appeared before the committee, and being duly sworn, testified as follows:

By Major Walker:

Q. Mr. Brown, I wish you would state whether you were ever connected with Dixmont asylum?

A. I was.

Q. When did you first go there?

A. I went there in August, 1879.

Q. What position, Mr. Brown, were you assigned to there?

A. I was assigned as an attendant.

Q. What ward?

A. The eighth.

Q. How long, Mr. Brown, did you remain in the eighth ward?

A. I think I left the latter part of October.

Q. Mr. Brown, just state who were the attendants in the eighth ward when you went there.

A. Well, William Harper and James McConnell; also a young man by the name of Stewart was acting there. I believe I was to supply his place. He was kept there until I came; at least, he stayed a day or two until I became initiated.

Q. Mr. Brown, were you what is called a surplus for the time being?

A. I don't know as I was a surplus. I was there only two or three days until they gave me the keys.

Q. I understand you to say that Mr. Harper and McConnell were attendants when you were there?

A. Yes, sir.

Q. That would make three attendants in the eighth ward?

A. Yes, sir; although McConnell had charge of the men, rather—those that were working outside. He stopped in the eighth ward, though.

Q. Was it a rule to have three attendants in the asylum in a ward?

A. I can't tell you that.

Q. You only know there were three attendants in the eighth ward?

A. Yes, sir.

Q. Were you present in the eighth ward when a man by the name of Carroll was brought there?

A. Yes, sir.

Q. Do you remember what ward he was first put into?

A. Well, sir, a lady had come there, and I was going down to the parlor to visit her. As I passed through the first ward, Will Park told me he had a new patient. He told me to come and look at him, and they had him lying in a room lying in bed. The boys had told him, I believe, that he was in hell, and told him I was the big devil—I was the largest one there—and that man Carroll became excited, and went bouncing through the hall like a gum ball, and became very much excited. Subsequently I can't remember. I think Mr. Harper came down and put a pair of muffs on him and put him in the eighth ward.

Q. When they took him to the eighth ward, where did they take him—to what room?

A. Well, we took him down to what we designated as the strong-room, on the left hand side of the room next to the bath-room, I think.

Q. You took him down to this strong-room as you call it?

A. Yes, sir.

Q. When did you visit that strong-room again?

A. That was just dinner time; I paid my visit to the lady, and came back and took dinner, and after dinner I came back and concluded that I would go down and look at that new man. It seems to me, in some manner, he had got the muffs off his arms and had denuded himself of his clothing entirely; he was perfectly naked, and as I opened the door he came at me with both fists. I quickly closed the door and went back and notified Harper that the man was naked and carrying on, and McConnel being in from work at the time, he sent me down to the clothes-room for a strait-jacket, and they went down.

Q. Go on.

A. When I got the strait-jacket and came back and went in, they were in a tussle with this man Carroll.

Q. In this strong-room?

A. Yes, sir; there was a good deal of struggling between the two attendants and Mr. Carroll, and we had a patient there by the name of Lovell, who was always anxious to assist, and he came in partly; and this man had dinged on the floor and they called the old darkey in to clean it up, and in the tussle they upset the bucket, and the whole pile of them went on the floor. I was holding the door to keep the patients out; they all crowded around. There was a good deal of fighting. He remonstrated with them, and Mr. Harper kicked him, and he fell down and struck his head against the wall, and I had a misgiving whether he didn't damage his skull, and he lay there—not in the hall, but in the room on the floor.

Q. Do I understand that this kick he got from Harper was one of such strength as to throw him against the wall?

A. Well, he was standing, I suppose, about three or four feet, and he hit him that way, [describing,] and as he went down his head went against the wall.

Q. Where did he kick him?

A. Well, it was like on the back of the calf of his legs.

Q. Then what occurred?

A. Then we got him up again—got him cleaned off a little and got the strait-jacket on him.

Q. Did you see Mr. McConnell, or Mr. Harper, or any of the attendants misuse or abuse Carroll, other than you have spoken of? Did you see them pull his beard?

A. No, sir; that was done by Lovell. Lovell caught him just about here, [describing,] as they went down, and I know as they got up he had a handful of hair in his hand.

By Mr. McKenna:

Q. Lovell was a patient there?

A. Yes, sir.

By Mr. Walker:

Q. He was assisting the attendants?

A. Yes, sir; of course, I felt in my own mind that there was unnecessary abuse when Carroll was down, because I know Harper and McConnell both were kicking him.

Q. Mr. Brown, after they put the strait-jacket on to Carroll, what became of him then—did they leave him down there on the floor?

A. Yes, sir; they kept him in that room; Harper made a remark to me

that he would keep him shut up, and Doctor Wylie should not get to see him to see to what extent he was abused.

Q. How long did they keep him there?

A. To the best of my recollection he was kept there a couple of days; of course he got out, but he was kept there most of the time; he had that strait-jacket on quite a length of time, and I asked Mr. Harper why it was, and he said as long as the strait-jacket was on Doctor Wylie had no opportunity to examine him.

Q. Did Carroll say anything in your presence, so that you heard him say it, if they were going to abuse him he would tell Doctor Wylie?

A. He threatened to tell Doctor Wylie; he often attempted to speak to Doctor Wylie, and Harper would catch him and say to him, "Here, you," and put him into the room.

Q. Frighten him?

A. Yes, sir.

Q. Simply because he was going to remonstrate with Doctor Wylie?

A. I don't know what he—he wanted to tell Doctor Wylie the extent of his injuries.

Q. Do you know whether, during these few days he was in the strong-room, Doctor Wylie did see him?

A. He did see him, but I don't know that he was ever cognizant of the extent of his injuries.

Q. Mr. Brown, the rule of the asylum prohibits, as I understand it, the infliction of personal injury upon the patients?

A. Yes, sir.

Q. Those were your instructions with others?

A. Yes, sir; that was my instructions from Mr. Caldwell, the supervisor.

Q. In the treatment that Carroll received from Harper, McConnell, and Lovell, did you consider that was undue and unnecessary treatment?

A. I considered part of it was, sir.

Q. Mr. Brown, I will try to refresh your recollection; the colored man's name—the first name—is "Joe," ain't it?

A. Yes, sir.

Q. Mr. Brown, I wish you would state to the committee if you ever saw Mr. Harper at any time abuse our colored friend.

A. Well, I know of him abusing that man, he seemed to have a personal animus against him; he called him a "black son-of-a-bitch" a good many times; he talked through the night and annoyed Harper, and one night Harper went down and give him a good slapping.

Q. Went into his room?

A. Yes, sir.

Q. What did he strike him with?

A. He had a muff strap.

By Mr. McKenna:

Q. Did you see this?

A. Yes, sir; I went down and told Harper not to do that.

By Major Walker:

Q. The allegation was that Joe was talking?

A. Yes, sir. He said he would make him shut up.

Q. Did you ever see Harper, McConnell, or any of the other attendants abuse any of the other patients?

A. Well, we had trouble with a man by the name of Thompson that was rather unruly; very frequently we had trouble with Joe Weddell.

Q. Of course, what I desire to know is whether Weddell or Thompson or any other patient received any abuse from the attendants?

A. Well, it was pretty hard usage.

Q. Not unnecessary usage, do you think?

A. I felt a great deal of it was necessary, but I thought there might be a limit to it. At one time Weddell was down on the floor, and we got him up; but Harper was trying to subdue him, I suppose; we could have got the strait-jacket on without any further trouble; but Harper came in there and thumped him on the ribs, and we had additional trouble.

Q. What are we to understand by thumping—a kick?

A. No, sir; striking with his first in the ribs.

Q. He struck him in the ribs with his fist?

A. Yes, sir.

Q. Did you ever hear Harper and McConnell talk about a patient there named Inman?

A. Yes, sir; it seems prior to the time I went there he had bitten Parks, and I inferred as much that he was removed from another ward into the eighth ward; and when I went there I frequently heard Harper and McConnell talk about the good training they had given Inman for having bitten Parks.

Q. You heard this?

A. Yes, sir.

Q. You didn't see it?

A. No, sir.

Q. You heard that from themselves?

A. Yes, sir; it was a common theme of conversation.

Q. Did you ever see the attendants at any time wearing the property or clothing belonging to patients?

A. Yes, sir; Harper wore pantaloons belonging to some of the patients, and a pair of suspenders belonging to Meyers; very frequently Meyers asked him for the suspenders, and he refused to give them to him; at another time he was wearing a pair of slippers that was sent up for a patient, and at the same time the patient's slippers was all worn down at the heel.

Q. How did he manage to get them?

A. It was kept in a clothes-room; and I went to Bob Parks and remonstrated.

Q. Should not wear the clothing of patients?

A. No, sir.

Q. In reference to the character of the language that was used there, so far as the attendants were concerned, I wish you would state to the committee what in reference to that.

A. I can speak of only one thing, and that is the eighth ward; and I could only say that the language was very bad; I could not see much difference between the attendants and the patients.

Q. Was it vulgar or obscene?

A. Well, it was profane. Harper made use of the common expression, calling the patients hoars gets.

Q. Was there any understanding by the attendants that when the officers or officials visited the asylum, that you put up things into special order? Just state how that was.

A. Everything was got into good shape. I remember one time, when a gentleman visited there; it was almost the same on the occasion of an official visit; the patient was fixed up, and had to sit in their places, and order was preserved.

Q. Do you know of any of the physicians of the asylum administering nar-

coties or doses of any kind, for the purpose of quieting patients, when they were going the rounds? And if so, state what you know.

A. I would rather not answer that.

Doctor Wiley:

Answer what you please.

A. I believe it was the time—I think his name was Luther; I am not sure; he is some official, and one of the doctors—I can't say whether it was Wiley or Hutchinson—sent in sleeping medicine to some of the violent patients, and one of them, Owens, would not take his, and Harper took him away from the hall, to keep him away while the officers passed through.

Q. Was the narcotic or sleeping doses administered to others?

A. We had two other cases, I think.

Q. Were the doses administered to them?

A. Yes, sir.

Q. What effect did the doses have upon them?

A. Well, it kept them down—stupified them. I can't recollect the names of the patients. I know he was sleeping in the room, and I know it was a matter of comment and laughter that they could not get Robert Owens to take his, and that he had to be taken from the hall.

Q. They ran him from the hall?

A. Yes, sir.

Q. Mr. Brown, how often did Doctor Reed visit the wards, or the eighth ward, that you know?

A. To my remembrance, I saw Doctor Reed once in the eighth ward.

Q. How long were you in the eighth ward?

A. I was there from the latter part of August, the 19th, to the latter part of October. He passed through at the time this doctor was passing through there.

By Mr. McKenna:

Q. What year was that?

A. I think it was in 1870.

By Major Walker:

Q. Was there any difficulty, Mr. Brown, between Harper and yourself?

A. Well, there never was any open demonstration, although we could not agree. Harper professed infidelity. I went there from a Methodist camp-meeting, and I felt pretty full of the spirit, and we became aggressive toward each other. He disputed my views on religion, and I didn't agree on that. We never came to any violence there; and one Sabbath morning, in the bath-room, I told him we would have to fight it out or drop it. He said we would drop it, and have no more say so about it.

Q. Were you there when McConnell was discharged?

A. No, sir.

Q. I wish you would state whether from information that you have as an attendant, there was any maltreatment or abuse of patients that Doctors Wiley, Reed, or Hutchinson did not hear of at all.

A. Yes, sir; I believe that.

Q. You believe that to be true?

A. Yes, sir.

Q. It was done without their knowledge and consent?

A. I know this much, there was a sharp lookout for these officers.

By Mr. McKenna:

Q. On the part of the attendants?

A. Yes, sir; at least in the eighth ward. I can't say for any other.

By Major Walker:

Q. And the penalty would be discharge; would it not?

A. That was understood.

Q. Mr. Brown, state what you know; you speak of putting strait-jackets on patients, about the manner or mode in which you tied the knots?

A. Well, sir; the knots were tied in the middle of the back; all I ever saw in the eighth ward, it may possibly have been different in other places.

Q. Did you see patients strapped down to their beds with a strait-jacket on with the knot tied in under them?

A. I never saw that.

Q. They had abundant opportunity if a knot was tied behind, or to their side to walk around?

A. Yes, sir; the only thing it deprived them of was the use of their arms.

Q. You are a relative of Mr. Parks?

A. I am now throughmy wife. I have been since I married a cousin of Mr. Parks. I was going to say I don't think I have seen him or heard of him since I left the institution.

Cross-examination:

Q. How did you come here?

A. I came with the train—a man took a little advantage of me this morning, sir. I received a telegram in my school-room that my presence was necessary at Manor Station immediately. Signed D. S. Crawford.

Q. Who is Mr. Crawford?

A. I surmised as much that Mr. Crawford was the man who was figuring with the *Erie Herald*. I was under the impression if I would go to Manor Station, that probably I would be relieved from coming here. I expected in the mean time they would finally get me here. I could not conveniently leave my business. When I got on the train at Penn station—the station the other side of Manor, Mr. Crawford got on and asked if there was a man ticketed for Manor Station, and the conductor pointed me out, and without giving me notice read the subpoena. I asked him whether it was necessary for me to go on to Pittsburgh. I saw there was no other way and I came on.

Q. Who was that subpoena issued by?

A. The House of Representatives as I saw; I don't know of any other.

Q. Have you ever met Mr. Crawford before?

A. No, sir.

Q. Why were you expecting to be subpoenaed?

A. Well, I saw they were having quite a number of attendants. I don't know——

Q. Did you see Mr. Parke?

A. Yes, sir.

Q. When did you see him ——

A. Did I see Mr. Parke?

A. Yes, sir.

A. No, sir; I don't know where he is.

Q. Did you get a letter from him?

A. No, sir.

Q. Did you know how Crawford discovered your residence at Manor Station and location?

A. I believe I asked him that coming on the train. I am not sure. I think he stated he had it some time ago. Well, I don't know directly what he said. He gave me two or three answers about knowing me.

Q. How long were you as an attendant altogether at Dixmont?

A. I don't mind the exact number of days. I mind only from the time of camp-meeting, and know it was held about the latter part of August; I

am not sure of the date. I know in the latter part of October I received a note from the school-board of Coopersdale that there was a position there vacant for me, and I preferred it to the position I held at Dixmont. I notified Mr. Caldwell, and in two or three days I left there.

Q. That is your business now?

A. Yes, sir.

Q. You say you went from the camp-meeting to Dixmont as an attendant?

A. Yes, sir.

Q. Was Harper there then?

A. Yes, sir.

Q. How soon did you begin the irrepressible conflict on theology?

A. I suppose as soon as we got a little acquainted we got talking around, and of course he asked me where I was from, and I told him.

Q. Was Mr. Carroll a party to any of these discussions?

A. No, sir; I don't think he was.

Q. Were you there when he was received?

A. Yes, sir.

Q. Do you remember the form of his insanity—the hallucination he was under? I believe—I believe he was brought to the first ward.

A. Well, they talked about him being set aside to Ingersol's doctrine, but I must confess I never heard him say anything about Ingersol. He talked about devils, and that is about the style of it.

Q. Mr. Brown, did you lay hands on Carroll, or abuse him at all?

A. Well, the only time I had anything to do with Carroll, he broke loose and attempted to get out of the door, and I put him back.

Q. Was he a very difficult man to manage in these paroxysms?

A. To the best of my knowledge that was the only one he had. He was effectually cured at that time.

Q. Did you take him to the eighth ward?

A. No, sir; Harper was hall-man.

Q. Who took him from the first to the eighth ward?

A. Well, Harper, and I went along up.

Q. You helped to take him up?

A. It was not necessary for more than one man to move him.

Q. You say that Harper took him?

A. Yes, sir.

Q. Didn't Parks bring him into the eighth ward?

A. I don't think he did. It is not my impression he did.

Q. Have you read Park's testimony in this case?

A. Yes, sir.

Q. Where did you read it?

A. I read it in the *Commercial*, but I think Parks has got a wrong impression. It was Mr. Harper that done it.

Q. Mr. Brown, don't you know, as a matter of fact, that he was sent to the eighth ward by Parks—I mean Parks took him there?

A. No, sir.

Q. Your recollection is not very clear at all on that?

A. I think I am correct in thinking it was Mr. Harper.

Q. What business or duty would call Harper over there to take him from the first to the eighth ward?

A. I could not tell you, but it is my impression it was Harper.

Q. You have been corresponding with John W. Carroll?

A. Yes, sir; to a very limited extent. After I removed to Coopersdale, John W. Carroll passed a few letters with me, and importuned me to come

before the public and corroborate his statement. I didn't think I had any business to do that.

Q. Do you remember writing to Doctor Wiley on the subject?

A. Nothing more, than Mr. Wiley presented a request that Carroll's letters be not answered. I think I sent him the letters, and that was all.

Q. In justice, Mr. Brown, to you, we will state we have the letter both to Mr. Carroll and yourself. Senator Hart is away, and I would like very much to have them to refresh your recollection.

A. I don't know whether I could tell you what I wrote. My mind was engrossed at the time with other things.

Q. Mr. Brown, were you faithful and loyal to your duty as an attendant in that situation to stand up and see the cruelties, and see a helpless man abused, and not report it to the doctors?

A. That was a matter I could never reconcile my conscience to. I felt at the same time it was not right——

Q. Why did you not report that to the proper superior officer—the maltreatment?

A. I will say that my association with Mr. Harper was none of the pleasantest, and I knew if I was seen reporting it, it would be so much more so—so much more unpleasant.

Q. Mr. Carroll testified to your standing up and seeing Lovell and Harper, and some more of the rest, beat and abuse him.

A. I kept the patient away from the door.

Q. Your instructions from the doctors and physicians were not to tell of any cruel treatment?

A. My instructions was not so, not to tell it. My instructions was that I was not to use any cruel treatment.

Q. What was your instruction about seeing others use it?

A. Nothing said about that.

Q. Then you considered you complied with your duty as an attendant in doing as you did?

A. I say I felt condemnation about that.

Q. What do you mean by saying you could not reconcile it——

A. What I mean is, I didn't want to increase the animus betwixt Harper and myself.

Q. I want to understand why, on account of religious controversy you had with Harper, you could not report his conduct, any dereliction to his superiors in the institution?

A. Well, a man may feel like doing anything and not do it.

Q. You never did it?

A. No, sir; the only reporting I did was to Parke about the clothing, and also to Mr. Caldwell, when I left. I told him when I left there was entirely too much profanity in the eighth ward, by the attendants.

Q. You didn't say anything about the brutality committed by kicking?

A. No, sir.

Q. Did you ever tell Doctor Wylie, Doctor Reed, or the supervisor that you heard both McConnell talking about the thumping they gave this man Inman?

A. Not about that.

Q. You didn't feel it to be your duty to report them?

A. The matter had transpired before I went there, and only had their say-so; only to that extent that we talked about it. They treated him all right when I was there.

Q. Do you know when Parke's thumb was injured?

A. No, sir.

Q. Isn't it very difficult at times, where force is necessary, to draw the line where necessary force and restraint are used on a vigorous man in paroxysms?

A. Yes, sir; that is true.

Q. The slippers that Harper wore belonged to the patient; did he have them on at the time he abused the patient?

A. Yes, sir.

Q. Had he slippers on then?

A. I think he had, because he most always wore slippers in the hall; it was a rare thing for a man to wear a boot, although some of them I believe did wear boots and shoes.

Q. Do you know whether McConnell wore slippers?

A. Yes, sir.

Q. Was the pulling of the beard of Carroll done by Lovell?

A. Yes, sir.

Q. You say Lovell did that?

A. They were all down on the floor together, and when they got up Lovell had in his hand a batch of hair.

Q. You didn't see Harper pulling it?

A. No, sir; I didn't see Harper pulling it.

Q. In reference to the statement of Carroll that was made that he would keep this man in a jacket so that Doctor Wiley could not see the extent of Carroll's injuries—would not Doctor Wiley have an opportunity to ascertain them himself and see the strait-jacket?

A. I suppose if Doctor Wiley so wished he could take it off him?

Q. Was it taken off him in the bath-room that morning?

A. This happened about dinner time.

Q. Do you remember about Doctor Wiley examining him at all?

A. No, sir.

Q. Had you no discretion, or the other attendants, except in the case of imminent emergency, to apply restraint or strait-jacket on patients, except by permission of the doctor?

Q. Please state that question again.

Q. Had the attendants there any authority or discretion to put a strait-jacket on a patient without consulting the doctors?

A. I don't know whether they had authority or not; I know they took the authority.

Q. How long would a strait-jacket be put on by the attendants without the doctor knowing it, or the supervisor—what was your duty in regard to that about reporting to the doctors?

A. I am not able to tell you; Harper was hall-man, and I had charge of the dining-room; I had not so much of that to attend to; Mr. Harper may have reported that for all know of it.

Q. I am merely asking about the rule generally. The other attendants swore he had only the right to put it on in case of emergency and then report it to the doctor, and if he did not think it proper he would take it off—do you know anything about that?

A. Not to my knowledge.

Q. You do not know so much about that?

A. Not so much as the hall-man.

Q. Do you remember of taking Carroll out once and get him into a scuffle, when Harper or McConnell ran to assist you?

A. No, sir; I have no knowledge about that.

Q. Do you remember of them running to assist you?

A. No, sir; I will say that Harper always spoke in that way that he was

afraid anything should be shown, and he often went so far as to say, if the doctors find out anything of those marks, he would swear that the patients were fighting among themselves, and had it that way.

By Senator McNeill:

Q. I believe you stated that you met Crawford at Penn station this morning?

A. Yes, sir.

Q. Did Crawford propose to pay your expenses?

A. No, sir; he never spoke so to me.

Q. Did he say how that was to be done? Did he buy a ticket, or anything of that kind?

A. My ticket went also to Manor station. He made a remark that "I will pay both fares," and I never knew anything about any recompense whatever.

By Mr. Graham:

Q. Who paid your expenses coming, and who is to pay your expense for your return?

A. I say I paid my fare from Manor station, as I had paid it beforehand.

By Mr. McKenna.

Q. When did you come?

A. I suppose I got here about an hour ago.

Q. Did you come right here?

A. Yes, sir.

PHOEBE CATHARINE DOEMAN, a witness, who appeared before the committee, and being duly sworn, testified as follows:

By Major Walker:

Q. At whose instance did you come here? Just state what it is, exactly; tell the truth, and everything; that is all we ask.

A. Why, I came to testify about the cruelty at Dixmont.

Q. At whose instance did you come?

A. Mr. Crawford.

Q. Did Mr. Crawford agree to pay your transportation here and return to your home?

A. He told me he would.

By Senator McNeill:

Q. Did he read a subpoena from the committee?

A. Yes, sir; he had a subpoena.

By Major Walker:

Q. Miss Doeman, where do you live?

A. I reside now at Hawkins station.

Q. I wish you would state to the committee whether you were ever connected with Dixmont.

A. I was; yes, sir.

Q. When did you go there?

A. The 15th of November, 1881.

Q. How long did you remain?

A. About four months.

Q. When you first went there, in what capacity were you employed?

A. I was surplus, and kept in the sewing-room.

Q. Were you all the time you were in Dixmont a surplus?

A. Except when I put in one week in a lady's place who was away.

Q. I desire to know, so far as your duties as surplus was concerned, what particular wards you were in?

A. I was first placed in No. 10; afterward I was placed in No. 9.

Q. How long, Mrs. Doeman, were you in No. 10?

A. Probably two months.

Q. Do you remember whether a patient by the name of Mrs. Norcross was in No. 10 when you were there?

A. Yes, sir; I do.

Q. Mrs. Doeman, I wish you would state whether any maltreatment was inflicted on Mrs. Norcross.

A. I think Mrs. Norcross was cruelly treated at times.

Q. State the manner in which she was so treated.

A. I think she was bound excessively tight—unnecessarily tight to her bed.

Q. Was she tied with the strait-jacket?

A. Yes, sir.

Q. Describe, as well as you can, the way in which Mrs. Norcross was maltreated and misused, so far as the strait-jacket is concerned.

A. Well, the strait-jacket was put on her and she strapped to the bed, and the knot was tied in the back.

Q. That was under her when lying down?

A. Yes, sir. It was generally tied there by Miss Alexander.

Q. What attendants generally did the tying?

A. Miss Alexander and Mrs. Coulter. I have tied her down, and afterward she went and tied her over again.

Q. After you had tied her down?

A. Yes, sir.

Q. After she was tied down and strapped?

A. Yes, sir.

Q. Did you ever see any maltreatment to Mrs. Norcross?

A. Nothing after that; no, sir.

Q. Do you know Miss Diamond?

A. Yes, sir.

Q. Was Miss Diamond a patient or attendant?

A. Miss Diamond was a patient.

Q. In No. 10, was she?

A. Yes, sir.

Q. Did you ever see any of the attendants in No. 10 misuse Miss Diamond?

A. I saw them teasing her.

Q. In what way?

A. Throwing water on her face and slapping her gently on the face. They would slap her so she would cry.

By Mr. McKenna:

Q. You say you saw them slapping her gently?

A. Yes, sir.

By Major Walker:

Q. What was the object of Miss Alexander throwing water in her face?

A. I think it was only to tease her.

Q. Was she lying in bed?

A. No, sir.

Q. Just describe it.

A. She would take the cup and throw it that way, [describing.]

Q. What effect would it have upon her?

A. Make her unruly.

Q. Was it for the purpose of making her unruly?

A. I don't know what was Miss Alexander's thoughts. I thought it was just to tease her.

Q. Did you ever see Miss Alexander slap her?

A. Yes, sir; I have.

Q. Just explain how that occurred.

A. Well, I think she would do it to tease her, and slap her until she would cry, and then she would make a fuss over her until she would get her in a good humor again.

Q. Did you ever hear of any person going to her relief when she was treated in that way, Mrs. Doeman?

A. Yes, sir; I don't remember of any.

Q. Do you remember of Katie Fondelier?

A. Yes, sir.

Q. Do you know anything about the maltreatment of Katie Fondelier?

A. No, sir; not any violence.

Q. You know Kate Lavery?

A. Yes, sir; I know Kate Lavery.

Q. Did you ever see any of the attendants misuse her?

A. I have seen them speak very crossly to her. I don't remember of seeing any violence.

Q. Did you ever see them pull her by the hair?

A. I don't remember of seeing it.

Q. How was she taken to meals?

A. I have seen the girls drag her there, but I could not say they dragged her by the hair.

Q. In what way did they drag her?

A. I could not describe; pulled her along; she would not go without they would carry her.

Q. You stated you knew Katie Fondelier. Do you know anything about her imprisonment in the dark-room?

A. I know she was placed in the dark-room.

Q. Do you know anything about the treatment Katie Fondelier received in the dark room, or anywhere else, the morning she died?

A. Yes, sir; I don't think she was used very kindly the morning she died.

Q. Just state what you know about her maltreatment.

A. I saw Miss Alexander make her get off the seat she was lying on. Miss Fondelier told her she could not sit up, and Miss Alexander told her if she was that way she would fix her a bed, and I presume she did.

Q. What furniture was in the dark-room after the bed was taken out?

A. There was nothing in it.

Q. Was she kept there without anything in it at all?

A. I could not say. I was in the sewing-room, and she told me she was there all the time.

Q. She told you that herself?

A. Yes, sir.

Q. Was there any accommodation in the room?

A. There was not a thing when I passed the room.

Q. She was without any furniture at all?

A. Yes, sir.

Q. Was she there the morning she died?

A. She was there the morning she died.

Q. Do you remember of Katie Fondelier going to the wash-room that morning?

A. Yes, sir; I remember she went to the wash-room that morning.

Q. Just state what you remember of this, and what occurred there.

A. I saw Miss Coleman tell her to go, and she told her she was not able

to go, and asked her to bring the water to her ; and Miss Coleman said to her, "You are as able to walk down as I am to bring it to you;" and I heard Katie say, "If I must, I must;" and she walked to the bath-room.

Q. Do you know how she got back to her room?

A. I don't.

Q. Did you ever hear, Miss Doeman, of any patient when they required water for drinking purposes being refused?

A. No, sir; I never refused them; they would be sent to Mrs. Coulter or I.

Q. They would be sent to you?

A. Yes, sir.

Q. The patient would be supplied with water?

A. Yes, sir; we always gave them water.

Q. Do you know Mrs. Mitchell?

A. Yes, sir; I know Mrs. Mitchell.

Q. Did you ever see any abuse or any ill-treatment of Mrs. Mitchell?

A. I saw Miss McCaslin abuse her terribly at times.

Q. I wish you would state to the committee, Mrs. Doeman, what treatment she received from Miss McCaslin.

A. I saw Miss McCaslin push her down, and saw her strike her on the hands with keys.

Q. What was that for?

A. I think she struck her on the hands for not giving up the mufflers; why she pushed her down I can't say.

Q. Did you ever know of her striking her with a strap?

A. I have seen her strike her with a strap.

Q. What was that for, apparently?

A. I think that was to make her go down the hall; she didn't allow her in the front of the hall.

Q. Do you know whether the striking of her made her cry?

A. I don't remember.

Q. Don't remember of her crying?

A. No, sir.

Q. Did you ever write a letter, while in the asylum, to Mrs. Mitchell's brother-in-law?

A. No, sir; I never did while in the asylum.

Q. Did you afterward?

A. No, sir; not to her brother-in-law.

Q. Whom did you write to?

A. To Mrs. Mitchell's sister.

Q. What was that in reference to?

A. It was in reference to her being ill-treated by Miss McCaslin; I don't think she ever got well under that treatment.

Q. Do you know Mrs. Platt?

A. No, sir; I believe that is the name of Mrs. Mitchell's sister.

Q. It was the sister of her husband?

A. Yes, sir.

Q. Did you know Mrs. Schilly?

A. Yes, sir.

Q. Did you ever hear of any maltreatment to her?

A. I saw Jo McCaslin slap her in the face.

Q. Do you know what that was for?

A. Because she refused to eat.

Q. Did you see at any time a cup with blood upon it?

A. I did.

Q. State what you know about that, Mrs. Doeman.

A. That is all I know ; I saw a cup with blood upon it, and I was told——

[Objected to.]

Q. Whereabouts was the cup?

A. On the table in the dining-room.

Q. Who had been in the dining-room?

A. Myself, Mrs. Coleman, Miss McCaslin, and all the patients.

Q. They had all been there?

A. Yes, sir.

Q. Had there been any patients in the dining-room that had refused to comply with the rules?

A. I don't remember that.

Q. You don't know how blood came on the cup, except what has been told you?

A. No, sir ; I don't know ; I didn't see.

Q. I will ask you a question about the food, Mrs. Doeman. What, in your judgment, was it in reference to quality and quantity—whether you ever thought it proper to buy food for yourself?

A. I think the food was very poor.

Q. Did you ever buy any for yourself?

A. Never bought anything except apples.

Q. Did you ever hear Miss Alexander, or any of the other attendants, complain about the food?

A. Yes, sir ; I heard them all complaining. It was the general complaint among all the girls.

Q. About the character of the food?

A. Yes, sir.

Q. Was it the character or the quantity?

A. At times the quantity was limited ; at other times it was sufficient.

Q. You are acquainted with Miss Coulter and Mrs. Coulter?

A. Yes, sir.

Q. What was their character and reputation?

A. That I don't know.

Q. While they were there?

A. I know nothing about them but what is good. I considered them ladies.

Q. Did they attend to their duties that was expected of them?

A. I think they did.

Q. Now, from your knowledge of the institution while you was there, do you think Doctor Reed knows anything about the abuses?

A. I don't think Doctor Reed knows.

Q. Do you think Doctor Wiley does?

A. I could not say. I don't know anything about Doctor Wiley.

Q. Do you think Miss Hope does?

A. Miss Hope does.

Q. How?

A. Miss Hope was told.

Q. Was you present?

A. I was present when Miss Coulter started up from the sewing-room opposite her.

Q. How often did Doctor Reed visit the wards?

A. I saw him once.

Q. The morning that Katie Fondelier died, did the doctor see her?

A. Yes, sir ; Doctor Hutchinson was with her.

Q. When she died?

A. I think he was there at her bedside.

Cross-examination :

Q. Did you go into the service at Dixmont with the Coulter ladies ?

A. No, sir ; I went after they were there.

Q. Have you been in the service of a water-cure establishment ?

A. No, sir.

Q. Where did you get acquainted with them ?

A. At Dixmont.

Q. Where did you live before ?

A. At Waynesburg, Greene county.

Q. Was that your first experience in an institution of that kind ?

A. Yes, sir ; my first experience.

Q. How long were you there ?

A. About four months.

Q. Were you ever promoted to be a regular attendant ?

A. No, sir.

Q. You were in the sewing-room most of the time ?

A. Most of the time ; I was out one week.

Q. You were out where ?

A. In number eight. I was placed in there one week.

Q. Have you seen Mrs. Mitchell recently ?

A. No, sir.

Q. Don't you know she is nearly recovered ?

A. I don't know.

Q. You left when the Coulter girls left ?

A. No, sir ; I left prior.

Q. How long prior ?

A. One day.

Q. You and they talked over your grievances frequently ?

A. All we girls did.

Q. You didn't get along with the other girls ?

A. I had no trouble with any except Miss McCaslin.

Q. What was that about ?

A. She expected me to do a great deal more work than I could get done, and go to the sewing-room.

Q. Wasn't you sick there ?

A. I was sick once about five days, I believe—sick abed.

Q. What was the matter with you ?

A. I fell down a step. You can ask the doctor about it. He can tell you.

Q. He attended you ?

A. Yes, sir.

Q. There was one time you saw Doctor Reed in the ward ?

A. I saw him on Sundays.

Q. That was not the only time ?

A. Oh, no ; I saw him at other times.

Q. How often were you up in the wards ?

A. When I would be in for a day for another girl.

By Major Walker :

Q. How often did you see Doctor Reed ?

A. Every day he came to the sewing-room.

Q. Do you know if Mrs. Mitchell was stubborn ?

A. I know that Mrs. Mitchell was stubborn.

A. Do you know of Mrs. Mitchell having a suicidal form of insanity ?

A. I heard she was suicidal.

Q. Do you know anything about Mrs. Norcross?

A. I heard she also had suicidal mania.

Q. This you only know from hearsay?

A. Never saw her attempt suicide.

Q. You never attended on any of these ladies yourself?

A. No, sir.

Q. Did you see the Coulter ladies when they were here?

A. No, sir; I didn't.

Q. Have you had any correspondence with them?

A. I received a letter from them after they were here.

Q. Where did you get acquainted with Mr. Crawford?

A. I met him at Hawkins station.

Q. Do you know how he procured your address?

A. I don't.

Q. When did you see him before?

A. I do not remember the day.

Q. Where did you see him?

A. At Hawkins station.

Q. Did you see him at other times?

A. I did once before this morning.

Q. What is your employment now?

A. I am at present employed at Judge Hawkins'—at Hawkins station.

D. S. CRAWFORD, a witness who appeared before the committee and being duly sworn, testified as follows:

By Mr. McKenna:

Q. Where do you reside, Mr. Crawford?

A. In Erie.

Q. What is your employment?

[Objected to.]

Mr. Malcom Hay, counsel for Mr. Crawford, requests to know what the purpose of this examination is.

Counsel for respondent proposes to prove that Mr. Crawford is the man who wrote the libelous articles in the *Erie Herald*, and that he is in the employment of the paper which published the libelous articles.

Second, that ever since this investigation started, Mr. Crawford has been detailed to hunt up witnesses really in defense of his libel suit, and in the prosecution of that work he has visited Cincinnati, Armstrong county, and various parts of Pennsylvania.

Counsel for Mr. Crawford states that he is willing, either from his own knowledge or from observation since the time this committee has been appointed, to answer fully, explicitly, and in detail as to all such matters as come within the scope of the appointment of the committee, but objects to being asked or to answer here questions relating to his private matters.

By Chairman McCrum:

The position of the committee is that you may locate Mr. Crawford, and ask him his business and any questions that may in any manner throw any light upon Dixmont investigation, but with respect to his motives we sustain the objection.

By Mr. McKenna:

Q. You say you know nothing of your own knowledge about Dixmont at all?

A. No; except that I was in the institution once to pass through it; I have no knowledge of its workings.

Q. You have no knowledge of the mode of taking care of the inmates?

A. No, sir.

By Mr. Graham :

Q. It has been more than intimated that you have had some mysterious connection with this committee, and was in secret consultation with and acting through them ; now we want to know whether this is or is not true.

A. Well, I would not be responsible for intimations ; there has been nothing covert.

Q. What are the facts ?

A. There has been no secret correspondence or anything of that nature.

By Mr. McNeill :

Q. Did you consult with this committee, or any member of it, how this investigation should be conducted ?

A. I would be presuming a great deal to do so. I have not suggested anything—that is, as to the manner of their conducting the examination.

Q. Or what witnesses should be called ?

A. No, sir. But I would like to explain my answer. I did not direct any examination, or anything of the kind. I have mentioned names of persons who would make good witnesses.

By Mr. McNeill :

Q. You withdraw your answer to the former question ?

A. I gave a direct answer, and then gave this explanation of it. I was required to say yes or no, and then I explained.

WILLIAM HARPER, a witness who re-appeared before the committee, testified as follows :

Q. You have been sworn ?

A. Yes, sir.

Q. Did you hear Mr. Brown's testimony in reference to your confiscating pants of patients and wearing them ? What have you to say about that ?

A. I can say it is false. I never wore any patient's pants that belonged to a patient. I believe I wore a pair of pants, only for my work, that I believe were State pants ; were bought by the attendant in my ward there. And Mr. Caldwell told me I could have them when I was scrubbing and doing up dirty work about the place.

Q. Were they in stock there—in store there—hadn't been worn by any patients ?

A. They were State pants.

Q. They belonged to the hospital ?

A. They belonged to the hospital, and then to Charlie McConnell, and then to me.

Q. How about wearing patients' slippers ?

A. I never did so ; I purchased my own slippers.

Q. You heard Brown's testimony implicating you, did you ?

A. Yes, sir.

Q. Did you hear the whole of it ?

A. Yes, sir.

Q. What would you say about the facts that he narrated ?

A. Well, I would say that he and I did. With regard to our relations in the ward, they were not pleasant. His statement as to my infidelity—I do not consider that I was an infidel. I went to church once in a while. I believe in God, and never said that I didn't. But Mr. Brown, as he stated, came down filled with the spirit ; and he hadn't been there very long until he began to go into the fourth ward, where a young man had a prayer-meeting there. And Brown's voice was soon heard among the prayers.

And he used to come immediately after the prayer-meeting was adjourned—he used to come into our ward, and begin to relate his experience with the girls. He was a regular masher, according to his statement, and he used more profanity in his conversation than I ever heard anybody else do. And when he proposed to start a prayer-meeting in our ward, I said to Brown, said I, “I believe that would be a pretty good idea for a man who can swear with the fluency you can; it will do him good.” Brown got mad at that, took umbrage at it, and after that tried to do me all the harm he could behind my back, and tried to do all the harm he could against McConnell and me, and told him about the little fuss he had. Says Brown, “I suppose you are trying to impose upon McConnell because he has just got over the rheumatism, and you can’t do that while I am here. McConnell can get away with you, rheumatism or no rheumatism, and I can a good deal quicker.” Which I honestly believe I could at the time. I considered that the man who talked behind another’s back to me—I always considered that the man that will do that will do the same behind my back. Anyhow, he didn’t say anything much then. That is the facts about that.

Q. Will you deny the charges of excessive cruelty?

A. I deny that explicitly.

Q. He stated here that you knocked Carroll down violently.

A. I didn’t do that—

By Mr. Graham:

Q. He stated you tripped him down.

A. I tripped him with my knee; it was no kick; it was a trip. I don’t deny that I tripped him; probably I have done so.

Q. You found it necessary to get him down and put the strait-jacket on him?

A. Yes, sir; to control him.

By Mr. McKenna:

Q. Did that state of feeling continue during the time of Brown’s stay there?

A. Yes, sir; it did, much to my discomfort.

WALTER DAVID, a witness who appeared before the committee, and being duly sworn, testified as follows:

Q. Where do you live, Mr. David?

A. I live in Pittsburgh.

Q. Were you an attendant at Dixmont at any time?

A. I was there two years.

Q. When did you leave there?

A. I left there December 22, 1882.

Q. Where do you live now?

A. I am employed at the Bindlay Hardware Company, on Seventh avenue.

Q. What wards were you in at Dixmont?

A. In the fifth ward and in the second.

Q. Was Frank Bogue in that ward?

A. Yes, sir.

Q. Was Doctor Sevin in that ward?

A. No, sir; not in my time.

Q. I wish you would state now, generally, what you know of the treatment of patients at Dixmont, in the way of kindness and attention to them.

A. In the ward that I was in they were very well treated in every respect; I never seen anything else in the fifth or second.

Q. What was your instructions in reference to using force on the patients in restraining them?

A. In case it was necessary, they got very bad, we had to put muffs on them, and sometimes a jacket, very seldom in either of the wards I was in; we never had to use much force.

Q. Do you know Doctor Sevin?

A. Yes, sir.

Q. Did you observe his treatment there?

A. Yes, sir.

By Major Walker:

Q. Was he in your ward?

A. I was in the fifth ward one year, and the balance of the time in the second; Doctor Sevin was in that ward.

By Mr. McKenna:

Q. The entire time?

A. Yes, sir.

Q. What would you say of the care and attention he received?

A. Well, he was treated very well; in fact, if there was any extras he got all his extras; it was regular.

Q. You say you know Bogue?

A. He was in the fifth ward. When I went there first I was put in the fifth ward with Bogue.

Q. What were you to do?

A. To attend to the dining-room.

Q. What would you say about Bogue's character and his treatment of patients, from what you have observed?

A. Bogue had been there a great many years before I went. While I was with him he was very kind to the patients. I never knew him to use any bad language to them or any roughness.

Q. What kind of a temper had he?—mild.

A. A mild temper.

Q. You may state, Mr. David, if you saw during the period of your connection with the institution in the wards, any abuse or punishment inflicted upon patients?

A. No, sir; I didn't.

Q. Had you opportunities of observing and noticing it?

A. I was sent down occasionally to go to the bad wards, that is, when I was in the second—sent back by the doctor.

Q. I asked you if you saw or heard of any abuse or knocking down of patients, or maltreatment?

A. No, sir; I never heard of it.

Q. When was the first you heard of these stories?

A. The first I had was what I seen in the *Leader*.

Q. Since this investigation commenced?

A. Yes, sir.

Cross-examination:

Q. Could there any maltreatment of patients have taken place in the asylum without you knowing it?

A. Well, it might have happened, because I was in two wards; that was the only wards I was about.

Q. It could have happened without you knowing anything at all about it?

A. Yes, sir.

ENOCH BATH, a witness who appeared before the committee and being duly sworn, testified as follows :

By Mr. McKenna :

Q. Where do you live?

A. I have been residing in New York these last seven months or more.

Q. Were you at any time an attendant at Dixmont?

A. Yes, sir.

Q. How long, and when?

A. A little over fourteen years if I include the time I have been at private residences with insane patients.

Q. When did you go to Dixmont?

A. The last days of the year '67.

Q. When did you leave?

A. I left Dixmont—I think it was in July last.

Q. In what capacity were you employed?

A. As an attendant.

Q. In what ward?

A. I think in the fourth ward first; I am not quite positive, but I think so; in the fourth ward first.

Q. Did you continue to serve as an attendant until you left?

A. Yes, sir; not in any other capacity.

Q. Were you much at the other wards?

A. I have been in nearly all the wards as an attendant; I think all, but with one or two exceptions.

Q. You mean in the male department?

A. Oh, yes.

Q. I wish you would state, Mr. Bath, from your fourteen years' experience in the institution, your opinion as to the regulations, and the manner in which they are carried out, and the treatment and the attention of patients.

A. I must give my candid opinion, which I shall do. I think there is no other institution in the United States that could be conducted better than that in Dixmont, as it has been conducted in a Christian spirit, so far as I know, both by the supervisors and the superintendent.

Q. Just go on and explain why you give that opinion.

A. I have not only experienced, as a permanent thing, the attendants are almost in fear lest they be discharged, if he has done any wrong-doing or bad treatment; that has been my experience, and I suppose that of many others.

Q. They live in fear of being discharged for any bad treatment?

A. In fear of it.

Q. You may state, Mr. Bath, from your observation in all the wards, whether any cruelty, ill-usage, abuse, maltreatment, or punishment is customary down there to patients.

A. Not in the knowledge of the officials, so far as I know. If there has been any committed, it has been done privately, without their knowledge; and most generally it comes to their knowledge, and so soon as it does they are immediately discharged, without further notice.

Q. Do you know of any such cases, Mr. Bath, of cruelty?

A. I don't just call to mind any, but I have known a number of instances.

Q. You say you have known a number of instances of discharges of attendants on account thereof?

A. Yes, sir.

Q. Do you know an instance of abuse and punishment of patients there by attendants?

A. I have known some at times, but in all cases, to my recollection, they have been immediately discharged or severely reprimanded.

Q. Was that the exception, Mr. Bath—was it generally the way they were abused or treated badly—the abuse of the patients?

A. In all cases they have been severely reprimanded or discharged, so far as I have known.

Q. You are hard of hearing?

A. I may possibly admit that I am, slightly, but I always want to know definitely the precise words; it makes me seem hard of hearing.

Q. Mr. Bath, what is the regulation about medical attention to patients?

A. Well, whenever there is any necessity, it has always been attended to, so far as I know—so far as I have known, strictly so.

Q. Do you remember John W. Carroll, an inmate there?

A. I very possibly might have known him personally, but I don't remember a person by that name.

Q. You can't place him now?

A. I can't just place him now; I might know him personally.

Q. Did you know Mr. Hopkins?

A. Yes, sir—I believe I did, sir; there is many of the patients that I almost forget their names.

Q. Do you remember anything about Hopkins' case?

A. I could not recall it to recollection.

Q. Have you been in any other institution?

A. I have been in Passavant's, in Pittsburgh.

Q. Have you been in any as a visitor or inspector?

A. Only as a visitor, not as an inspector.

Q. Did you ever visit any others?

A. I don't know as I did, except the poor-house up the river; I visited there at times; I was also in the inebriate asylum as a visitor.

Q. What would you say about Dixmont as compared with Newberg, in your observation?

A. My experience with Dixmont has been as I have already stated; of course, what little I was at Newberg, that was a very well regulated institution, what I saw of it.

Q. Do you know what the rules are at Dixmont with reference to kind and humane treatment of patients?

A. Yes, sir.

Q. What are they?

A. The rules are that you are immediately discharged if there is any improper or undue treatment of them.

Q. Is that rule enforced vigorously?

A. It is universally enforced, so far as I know.

Q. How would it be found out that the patients is misused or abused?

A. The patient tells it, and it is found out by observation. Mr. Caldwell sees them, and if he sees any bruises or abrasions he immediately ascertains why it is, how it is, and who has done it.

Q. So that it is almost impossible to conceal a case of abuse?

A. It is almost impossible. And he has, so far as I have known, employed none but, to the best of his knowledge, except properly dispositioned persons.

Q. Is that Doctor Reed's rule?

A. Possibly it is; and I believe that is Mr. Caldwell's principle that he has acted upon.

Q. That is the supervisor?

A. Yes, sir.

Q. You are now engaged in business in New York?

A. I have been for the last seven months.

Q. You came in response to a telegram, I presume, voluntarily here?

A. Yes, sir.

Q. I wish you would state, Mr. Bath—could you generally in the stations you have been in which you have seen the attendants, supervisors, doctors in charge of Dixmont for fourteen years past—I wish you would state, as a rule, how they discharge their duties in your judgment—the attendants and officers there.

A. The attendants was continually under supervision; and they had to conform to duties, so far as laid in their power; and if there was anything done contrary to the proper order, it was strictly private; but they generally attended to their duties to the best of their knowledge.

By Mr. Graham:

Q. What Mr. McKenna wants to know is how they conducted themselves towards patients as to kindness and humanity—were they kind and humane in their treatment of the patients, as a general rule?

A. I believe that has been strictly their general principle that they have acted upon; of course I have not visited all the wards; that is to say principally they have acted upon it: I have only seen the wards I have gone through; the lower ones I was engaged in.

Q. If there had been frequent cruelties practiced there, would not you, in your fourteen years of experience, have known it?

A. As a general thing it could be retained from me more than it could from the supervisor.

By Mr. McKenna:

Q. That was the rule, kindness and humanity, that you always acted up to?

A. I have always tried to act up to it as nearly as I could.

Q. You resigned your connection with that institution?

A. I did so.

Cross-examination:

Q. How did you happen to resign, Mr. Bath?

A. Well, I thought I would like to get into a little better society than being amongst insane patients, and I resigned with the object, partly, of going back in about three months, but I tried to avoid it all I could.

Q. You were sent for to come here and testify?

A. I was telegraphed for.

Q. Who by?

A. I believe Doctor Reed, the superintendent.

Q. Mr. Bath, during the fourteen years you were at Dixmont, how many of the attendants were discharged for cruel treatment to the patients?

A. I could not define that. I have known attendants to be discharged a number of times for unnecessary abuse, but I could not define how many.

Q. Would there be one hundred in fourteen years?

A. Probably ten or twenty.

Q. Ten or twenty in fourteen years?

A. To my knowledge, there might have been more and might not have been quite as many.

Q. Mr. Bath, do you think that it is possible that misuse can be practiced on patients there without Doctor Reed knowing it?

A. Barely possible.

Q. How can he find it out?

A. Mr. Caldwell, the supervisor, is visiting there a number of times a day; he is strictly watchful, and if there is anything hidden, any abrasions or anything wrong, he inquires about that.

Q. How many wards are there in the male department?

A. Eleven.

Q. He can't be in the eleven wards at the time?

A. He goes through there all the time; sometimes ten times a day.

Q. Could there not be maltreatment without his knowing it?

A. Not very easily; he is very watchful.

Q. He could find it out afterwards?

A. Yes, sir.

Q. Do you pretend to say that there is no maltreatment in the male department, and if there was that the attendants were not allowed to remain after the offense was committed?

A. I don't believe there was.

Q. Do you know of any cases of drunkenness?

A. Oh, I have seen several cases.

Q. I wish you would state who they were.

A. There was a man named Bithold as I recall now, who became addicted to drink, and was immediately discharged; I cannot call to mind others—I have known others to be discharged.

Q. Do you remember the names of any of the others?

A. There was others, but I cannot just call to mind the names. I could tell who they were if I heard them.

Q. Were they on duty when they were discharged?

A. They came to Pittsburgh, out for a day occasionally, and came back in an indecent state, and then they were immediately discharged that night or the next morning.

Q. Can you recall the name of others except the one you have mentioned?

A. I call to mind two—I don't mind their names—one from the seventh ward and another from the sixth ward at the same time; then there has been a number of other cases.

Q. Did you ever see attendants on duty when under the influence of liquor?

A. I don't believe I have.

Q. I don't mean positively drunk; I mean under the influence of liquor.

A. I don't believe there was any; not to my knowledge.

Q. Do you know Mr. Harper?

A. I knew him well.

Q. Did you ever hear any person say that he had been charged of drinking?

A. Whether it was him, or some one else in the eighth ward, I could not say who it was.

Q. Did you ever hear it alleged of Harper coming down to Pittsburgh and going back to the grounds under the influence of liquor?

A. I heard of some one coming to Pittsburgh, and coming back under the influence of liquor, and being discharged.

Q. Do you know whether he was discharged?

A. Yes, sir; he was discharged.

Q. You don't remember whether he was under the influence of liquor?

A. I could not say positively whether he was or not.

Q. But you know he was discharged?

A. I am pretty sure he was discharged.

I wish to make a correction of my testimony: One summer I was employed taking care of the men doing work outside.

JOHN GRIFFITH, a witness who appeared before the committee and being first duly sworn, testified as follows:

Examination by Mr. McKenna:

Q. Mr. Griffith, where do you live?

A. I live in Allegheny City.

Q. What is your occupation?

A. My occupation is general laborer; I worked in the Pennsylvania Tube Works lately, until the flood took away the bridge in connection with the island.

Q. You can state, Mr. Griffith, if you were at any time employed at Dixmont in any capacity?

A. Yes, sir: I was there as an attendant.

Q. When did you go there?

A. I went there in 1872 as a farm hand, and left there in 1877, and went west; I thought I was a little too much confined and better take a little western air; I come back and went to Dixmont in the fall of 1877, and remained there three or four years; about two years ago I left there.

Q. State what ward you were in.

A. I first was placed in the seventh ward.

Q. How long was you there?

A. I was there about six months.

Q. What ward next?

A. I was then sent to the tenth ward.

Q. How long were you there?

A. I guess I was there about four years. Very near.

Q. As an attendant had you access to other wards—do you know the general rules governing the wards there?

A. Not except on business.

Q. You had no access to other wards?

A. I wasn't allowed to visit other wards except on particular business, sent by any of the officers on business regarding the other wards.

Q. In which you were employed, what instructions were given you as an attendant in reference to the treatment of the insane?

A. There wasn't much instructions, as I worked on the farm four months before, and as regarding rules I understood humanity—generally speaking, common-sense care.

Q. Were those instructions and rules observed, so far as you know?

A. So far as I have seen that was observed, with the exceptions of when it could not be avoided. I had charge of critical cases and some violent cases. It is a well-known fact in Pittsburgh and Allegheny—and Doctor Wylie can testify to that—that I managed those critical case myself with the greatest of care, and with the restoration in health and mind. I was nurse under Doctor Wylie—at least he placed me a special nurse.

Q. What do you mean as critical cases?

A. Those hard to manage and hard of mind.

Q. What was your rule in managing them—force or kindness?

A. Not by force—kindness, if possible. When they first come in they don't understand kindness or anything else.

Q. Were you allowed to inflict punishment upon the patients?

A. Certainly not, sir. Well, if you chance to hurt a patient in self-defense, or trying to save yourself and him, as has been the case in one instance—a man caught this here thumb [describing] in his mouth, (the Doc-

tor was present,) and I choked him a little to have him let go, and he let go, and I let him go—in cases of that kind it cannot be avoided.

Q. What do doctors and supervisors say to the attendants when they break these rules?

A. Why, if they break the rules they are discharged.

Q. How is that detected?

A. Well, Doctor Wylie is very sharp, and he will detect it—and, perhaps, Mr. Caldwell; he is pretty sharp, too—and, as a general thing, they find out most of them.

Q. What was the penalty, you say?

A. Discharge.

Q. Were you there when William Harper was there?

A. Yes, sir; I think I was there, but I never was in the eighth ward; I had very little to do with it.

Q. Do you know Mr. McConnell—was he there, too?

A. Yes, sir.

Q. What do you know about McConnell and Harper, with reference to the treatment of patients?

A. Well, as regarding disposition and nature, I thought, as a general thing, kindness. I never saw the ill-treatment of patients more than could have been avoided, by Mr. Harper and Mr. McConnell.

Q. What do you remember of the men? Were they mild-tempered or excited—these two attendants?

A. I think mild, so far as I know—mild-tempered, not excited.

Q. What do you mean by saying you was selected as special nurse?

A. That is to mind a special patient and pay all your attention to him.

Q. Did you ever sit up and know of other attendants to sit up all night?

A. I have staid up all night. Those who were in their proper minds can testify to that.

Q. You have staid up frequently?

A. Yes, sir.

Q. Known of other attendants to do so?

A. Yes, sir; some others to do so. I have known some others to do a good bit of it.

Cross-examination:

Q. If these attendants were all so genial and mild of manner as you speak of, why are so many discharged?

A. I ain't speaking of them that is discharged.

Adjourned until 9.30 o'clock, Wednesday morning, March 21, A. D. 1883.

And now, to wit: Wednesday, March 21, A. D. 1883, ten o'clock, A. M. Committee met, pursuant to last adjournment, at the St. Charles Hotel, Pittsburgh, Pa.

Present: Honorable J. J. McCrum, chairman, Senators McNeill, Hart, Representatives Walker and Graham, C. F. McKenna, Esquire, counsel for respondents, and witnesses, and the taking of testimony proceeds.

Doctor C. C. WYLEY, a witness, who appeared before the committee, resumed the stand, and testified as follows:

By Mr. McKenna:

Q. When you ceased giving testimony the last day, you were relating Mr. Carroll's experience at Dixmont. Do you remember where you left off?

A. Yes, sir; he was in the eighth ward. I left him there.

Q. Did you make a public statement before the board of managers in reference to his case?

A. I did, yes, sir; at the time it was investigated by the managers of Dixmont Hospital.

Q. There were no charges preferred against the hospital by Mr. Carroll—it was simply on the strength of newspaper reports?

A. That is why it was investigated.

Q. Have you that statement with you?

A. I have; yes, sir.

Q. In addition to the statement you made the other day when you ceased giving testimony, was there anything that you wished to add to your testimony in reference to his case?

A. Nothing further, unless you wish to trace him through the wards from that point until he was discharged.

Q. Was he a well man, mentally, when he left?

A. No, sir; he was suffering at that time from sub-acute meningitis, and I think he is suffering from that to-day.

Q. I think you did testify there was no abuse, or ill-treatment, or injuries inflicted upon him while he was in the institution?

A. No, sir; there was not.

Q. Was there any difficulty about his brother procuring his release? You heard his brother's testimony on that subject.

A. Yes, sir; I heard the testimony. There was no trouble whatever. He asked my advice, and also Doctor Reed's, and we told him we did not think it would be beneficial to remove him, and with that understanding he left the hospital. He afterwards came back, saying he had decided to remove him.

By Mr. Walker:

Q. Was he a pay patient?

A. Yes, sir. When they brought him there his agreement was that if he should be removed before three months expired he would forfeit all that remained unconsumed by boarding and medical attendance at the date of his removal.

By Mr. McKenna:

Q. Were you at the investigation before the board of managers, and heard the testimony given there?

A. Yes, sir.

Q. Was Mr. Parks there?

A. Yes, sir.

Q. Was there any undue influence used to induce him to testify on that occasion?

A. None whatever; he came before the committee voluntarily, and testified to what he knew about it. He said there was no unnecessary force or abuse used at any time, to his knowledge, in restraining Mr. Carroll at that time. He did not mention anything that he mentioned before this committee.

Q. Was that simply an investigation of Mr. Carroll's case?

A. We investigated Mr. Carroll's case, and one or two others which had been mentioned at that time. One was Bostlow's case. The origin of that was, which led to the investigation, there was a patient in the hospital who had been talking to Mr. McClure, a patient who was sent there from the Western Penitentiary, who had a great many delusions, among others that this man had been killed, simply because he had died there, and he told that to another patient, and that patient believed it, went away to Crawford county, and related it as a truth.

Q. I wish you would state to the committee where the principal part of the patients at Dixmont have been received from.

A. Our largest number have been received from Allegheny county, where the hospital is located. We also, before the division, received patients from twenty-two counties, which formerly comprised the western judicial district. Our charter gives us the privilege of admitting a private patient from any portion of the United States.

Q. What do you mean by the largest proportion? Would that be half the patients under treatment—I mean private and public patients?

A. Yes, sir; I judge that to be correct.

Q. Have there been any charges or any suits brought by Allegheny county people against this institution at any time?

A. No, sir; none to my knowledge; there has never been any suits brought by Allegheny county people.

Q. And no complaints?

A. None.

Q. Have any suits at any time been entered against Doctor Reed, or yourself, or the attendants there by ex-inmates or others for keeping sane people there, or for abusing, or injuries, or maltreatment?

A. No, sir; we never had a suit against the hospital since its organization. It is a very common thing, a great many people leave the hospital imagining they have grievances which they want adjusted by appeals to law.

By Mr. Reed:

Q. What is the policy in regard to *habeas corpus* cases?

A. We never object, we cannot object; we always comply.

Q. Do you afford every facility for investigation?

A. Yes, sir; I say we have no objection.

By Major Walker:

Q. There never has been any suits?

A. Never any suits. I do not consider a *habeas corpus* case a suit against the institution. I was answering Mr. McKenna's question that there never had been any suits against the hospital for the detention of patients. Patients have been brought to the hospital which I did not think proper to admit on the certificates of the physicians, and had them taken away and admitted by order of court, under the special act for inebriates.

By Mr. McKenna:

Q. I wish you would state if there ever has been any perfectly sane persons to the number of sixty, or any other number, kept in that asylum since your connection with it?

A. Not to my knowledge.

Q. What is your practice with regard to the restoration of patients—how soon after they are restored and become sane do you dismiss them?

A. Patients are kept a sufficient time to give us reason to believe they are sane enough to be discharged—to assure us of their entire convalescence.

Q. Just explain that to the committee.

A. Patient cannot be discharged the moment he becomes sane, or apparently sane, from the fact that he might have a relapse within two hours after they are discharged. Therefore, they are kept a reasonable time to insure them remaining away from the hospital after they are discharged.

Q. Are they watched carefully and tests applied to know whether or not they are sane?

A. In my department, I talk to them daily to ascertain if I can find any hidden delusion. It is a very difficult matter sometimes to detect a man's

delusion. I have been unable to find them out for months ; finally it would develop itself.

Q. I suppose, notwithstanding all your vigilance, insane men often conceal their delusions and are discharged ?

A. Yes ; in a measure they become conscious of their condition, and they are on their guard and try to conceal it from the authorities in order to obtain their discharge from the hospital. They are all anxious to get away. So far as patients kept there against their will is concerned, I might say they are all detained there against their will.

Q. You may state, Doctor, in a statistical way generally, about the proportion of cured cases of insanity that are sent to Dixmont for treatment.

A. In recent cases I think we average fifty per cent. of restorations—that is, where a man has been insane less than six months ; after he is insane that length of time we consider him a chronic case and he is entered as such on the books of the institution. The longer a patient has been insane before he is admitted to the hospital, the less his chances are for recovery.

Q. Explain why that is—why you entertain that opinion.

A. Because, after a certain time, there are organic changes occur in the brain which preclude such possibilities.

Q. Then, the sooner an insane patient is removed to an asylum the greater his chances of recovery ?

A. Yes, sir ; because he has better treatment than I think it is possible to give him in any other place.

By Mr. Reed :

Q. He is removed from all exciting influences ?

A. Yes, sir ; certainly.

By Mr. McKenna :

Q. I don't know whether we interrogated you in reference to Doctor Sevin's case. You may state in regard to him and his treatment.

A. When I first saw Doctor Sevin he was in the second ward of the male department ; it is almost six years ago. He was then pointed out to me as a man who was suicidal, having made several attempts on his life. These facts were related to me at that time, and I was directed to be on my guard and instruct the attendants accordingly. Doctor Sevin got along quietly and easily for a number of years. I saw him very often. He was exceedingly irritable at times, and kind of hypercritical.

Q. Did you find that the directions which were given to you, or told you by others when you first made his acquaintance six years ago, manifest themselves in him ?

A. Yes, sir ; I would frequently go into his room and talk to him ; he would tell me about his troubles, and that he had better be out of the world ; he felt that many a time, and he told me so. I am sure, from my observation, if he were subjected to irritating influences for any length of time he would undoubtedly have committed suicide. I always directed the attendants to watch him carefully, lest he might inflict injury upon himself.

Q. Why was he moved out of the second ward ?

A. He was never removed ; he was there from the day I first saw him until he was discharged, or rather until he was removed by his committee, Mr. Walther.

Q. You may state if Doctor Sevin was discharged, or removed from Dixmont as cured.

A. No, sir ; and I do not consider him sane to-day, and never have since I have known him ; I do not think it is possible for him to become so ; he

has been insane so long, is an old gentleman, and the chances are against him. The younger a man is when he becomes insane the greater are the probabilities of his ultimate recovery.

Q. What form of insanity had Doctor Sevin?

A. Melancholia.

Q. Why was he removed—do you know?

A. I believe at the solicitations of his friends.

By Major Walker :

Q. Do you know?

A. Yes, sir, I know ; Mr. Walther told me himself ; we had an attendant there who was a German, and who frequently talked to Doctor Sevin, and I think he may have imagined that the old doctor was a perfectly sane man ; by his conversations with Doctor Sevin he made him dissatisfied, and I believe, after engendering this feeling of dissatisfaction, he got the old gentleman to offer him something to get him out ; he went away——

Q. Who was the attendant?

A. George Hoeffler ; this attendant asked me for leave of absence one day and I granted it ; I think it was on Saturday ; he did not report on Saturday night at seven o'clock, and failed to do so until Tuesday morning, if memory serves me correctly ; he then reported and said he had been very sick, narrated a very plausible story, and I allowed him to remain, thinking that what he told me was so ; I had never known him to falsify before. Some time after this Judge Galbreath wrote Doctor Reed in reference to Doctor Sevin, inquiring about his condition ; the Doctor replied, saying he did not consider him able to be at large, but if his committee choose to remove him he had no objections whatever.

Q. Did you see the letter?

A. I know it from Doctor Reed.

By Mr. McKenna :

Q. I ask you what Doctor Sevin's committee said about the cause of his removal.

A. Mr. Walther told me after Hoeffler's visit that the friends of Doctor Sevin were very much dissatisfied, and had solicited him to have the doctor removed. He then wrote a letter to Doctor Reed requesting his discharge, afterward Hoeffler appeared in Erie and paid him twenty-five dollars ; he had told Walther, however, that Doctor Sevin had agreed to fifty dollars.

By Major Walker :

Q. Paid him twenty-five dollars?

A. So I understood from Mr. Walther.

By Mr. McKenna :

Q. Did Walther inform you that he had frequently visited Dixmont, and had no complaints to make?

A. Yes, sir ; he told that in the letter requesting his discharge ; he also stated the same to me when I was in Erie sometime ago, and further, that he was very sorry that a pressure was brought to bear on him so that he had to remove the doctor, because he was satisfied in his own mind it was the best place for him ; he had frequently seen and visited him in the hospital. The doctor in his testimony referred to some books of his as having been destroyed ; it was Zimmerman's History of Germany. The doctor was inclined to accumulate a great deal of trash in his room, and we had these accumulations removed. He had some unbound sections of Zimmerman's History of Germany, and they were taken and put in one of our clothing rooms to get them out of the way ; they were removed by Mr. Caldwell. One day I issued a general order to have all the clothing rooms in the house cleaned ; in doing so some leaves of this unbound volume

were thrown out by the attendant who knew nothing of them; in fact, I suppose didn't know whether they were leaves from a Greek Testament or a German Almanac. I suppose they were thrown into a waste box outside of the hospital, and afterwards picked up by another patient and brought into Doctor Sevin. The doctor recognized them as being a part of his history of Germany and became very much excited and concluded we were destroying all his property, was in a furore generally.

By Major Walker:

Q. Was this history of Germany used in any of the other wards by any of the patients?

A. Not to my knowledge.

Q. He charges others with having had it.

A. He charges James Wood with having it. If it was in any other ward it was taken from this box and carried by some patient in there; it was not removed from his ward by our orders. I saw the doctor that morning and asked him what was the trouble; he told me they were destroying his property; I tried to reason with him, telling him it was necessary for us to have these rooms cleaned out, and it was also necessary for us to see that he had not anything more in his room than was necessary for him to have; he at once came to the conclusion that I was in the conspiracy; we had always been very good friends before that; I tried to reason with him, but soon saw it was of no avail and I left him; I told him he must not be excited over it, telling him that he was not at home, that his condition in life was changed, and he could not expect to have all the comforts and conveniences he had enjoyed.

By Mr. McKenna:

Q. That is your explanation of that?

A. That is my explanation in reference to that matter.

Q. Do you know Frank Bogue?

A. Yes, sir; I know him.

Q. Doctor Sevin made some charges against him in reference to his treatment of him; what would you say about that, if you know anything about it?

A. I do not believe them at all.

Q. What is Mr. Bogue's character?

A. Bogue is one of the best attendants Dixmont has ever had. I say he is more attentive, conscientious, and considerate than any man I have ever known to be at Dixmont.

Q. Did you in your former testimony refer to the cases of Weddell and Inman, which have been spoken of?

A. Yes, sir; I did. I will state here that Mr. Weddell died from epilepsy, and that Mr. Inman died from consumption.

Q. The witnesses yesterday testified to some alleged facts in reference to dosing patients with narcotics, whenever visitors or officials were expected to visit the institution; I wish you would state if you ever did so.

A. No, sir; I never did for that object; I have given hypnotics, and I do it every day.

Q. Why?

A. I do it as a remedial agent; in cases of paroxysms we administer hypnotics to patients who are noisy and boisterous. As to another patient being taken out of the house as was testified to—Robert Owens—that was nothing unusual to do with Robert Owens, we often did it from the fact that after being walked about he would become quiet.

Q. It was not done in order to escape the observation of Doctor Diller Luther?

A. No, sir; not at all. I have often directed men to be taken out of bed and walked around over the farm, and then they would be returned and they would sleep quietly afterwards.

Q. Do you know anything in reference to orders being given to attendants that boisterous patients were to be concealed by giving them narcotics when visitors were expected?

A. No, sir; I have given narcotics to patients as a remedial agent, but never for such a purpose.

Q. It is a part of the treatment there?

A. Yes, sir.

Q. It is given in times of excitement?

A. Yes, sir; we have patients out-of-doors, sometimes one hundred daily and sometimes more; at other times I have had an attendant taking a single patient out by himself when he was not fit to be taken out by the other patients.

Q. There was a new assignment of cruelty in reference to the case of black Joe. Did you ever hear of that before?

A. No, sir; I never heard of that before. He is quite a comical fellow—cuts girations around the ward, and everybody seems to like him.

Q. Did you ever observe any contusions or bruises or signs of ill-treatment on him?

A. The contusions would not show very much on Joseph. I never saw any bruises at all.

Q. Is he capable of telling it if he had received maltreatment?

A. Yes, sir; he is capable. He is often out on the farm—works about, sometimes—helping in the work.

Q. Do you remember Miss Moffit?

A. Yes, sir; I saw her several times when she was sick—when she didn't know anything at all about her surroundings, being totally oblivious of them.

Q. State to the committee whether it was ever necessary to apply restraint to her.

A. Yes, sir; that lady has worn restraint three weeks at a time.

Q. Restraint of what nature?

A. A jacket; and she was always confined to her bed.

Q. What for?

A. On account of her maniacal roughness.

By Major Walker:

Q. She says she was not violent.

A. She said she was unconscious—that was her way of expressing it, but she was never violent after returning to consciousness, and one reason restraint was used upon her was to prevent her from wearing herself out.

Q. Do you know of attendants leaving Dixmont to avoid giving testimony?

A. No, sir; several had their notices in for two weeks. There is an obligation which all sign when they become attendants—that they will give the superintendent two weeks' notice before leaving; that is done to prevent a stampede at any time and also to give us a chance to supply their places. There are several of these attendants who have gone away since this investigation who remained longer than their two weeks at my solicitation.

Q. For the purpose of testifying?

A. No, sir; I spoke to them when I found they were going away, and asked how they felt towards the institution, and they said they were willing

to come here and testify whenever I desired. I have seen this report in the newspapers in reference to a general stampede having taken place, but there is not a word of truth in it. Some have even gone there to contradict it.

Q. I wish you would state whether there is any political or religious test enacted, of attendants or employes in any way at the institution.

A. None whatever, either of the employes or officers in any way.

Q. The board of managers are of all parties and of all sects?

A. Yes, sir; so far as I know; the Republican, Greenbackers, Democrats, Stalwarts, and Bourbons.

By Major Walker:

Q. Do you know the politics of all the attendants?

A. I know some of them, as I employ the attendants on the male side.

Q. You have no objection stating to the committee your own politics?

A. None whatever.

Q. You are a Jacksonian Democrat?

A. I am still voting for Jackson.

Q. Do you know of other Democrats there?

A. Yes, sir; our chief engineer is one. Politics don't enter into the institution at all.

Y. You employ most of the attendants that come under your supervision?

A. I do, sir. By order of Doctor Reed, religion or politics have no consideration in their employment whatever.

By Mr. McNeill:

Q. Did Doctor Reed know you were a Democrat?

A. He didn't ask me. He knows very well that I am now, because we go to the polls together. He votes one ticket and I vote the other. I never knew Doctor Reed, or any other officer connected with the institution, to solicit a man's vote. They go to the polls and vote for who they please.

Q. You know of some candidates soliciting votes?

A. Yes, sir; and a good many of them are very hard to get rid of.

By Mr. McKenna:

Q. Have you any other statement to make pertinent to the investigation here?

A. Nothing particular that I can think of. The ground has been gone over very thoroughly, and I think the gentlemen are pretty tired.

By Major Walker:

Q. Do you consider that there is no attention whatever given to either attendant or employes of any kind or character from a political standpoint?

A. None whatever.

Q. Is the ambulance that belongs to the institution furnished to employes to be used on election days?

A. They can have it if they want it.

Q. Is it done?

A. They have taken it. All parties can go in it.

Q. Do you know of any Democrats besides yourself and the engineer?

A. Yes, sir; the attendant in the fifth ward is one.

Q. I want to ask you a question in reference to Doctor Reed's duty. I wish you would state to the committee what you understand to be the duties required by the board of managers from Doctor Reed.

A. As I understand it, Doctor Reed has entire control of the institution; that is, to employ assistants, attendants, and all help.

Q. I understand that he has the general management of the entire grounds—of the buildings, and all its appurtenances.

A. Yes, sir; the farm belonging to it, and everything connected with the institution; anything that contributes towards the support of patients in any manner; whether supplies or anything of that kind, but he is subject to the whole committee in anything that is extraordinary.

Q. In your judgment, Doctor, and from six years' experience, what would be your opinion as to whether the duties imposed upon Doctor Reed by the board of managers are, are not, excessive for one man to attend to?

A. They are excessive, but they are attended to.

Q. Doctor Reed has been an invalid, has he not, for some time?

A. At times, some years, the Doctor has been an invalid.

Q. Considering his condition, and the immense amount of labor that the board of managers require of him, in your judgment, do you or do you not think that he has too much labor imposed upon him, taking all the circumstances into consideration?

A. If he had to do it himself I think it would, but he has an assistant.

Q. Would you think, Doctor, from your experience there, that it would be better to divide the labors of the institution, giving the superintendency of the business portion of it to one person and the medical portion to another—would not that be sufficient labor for each?

A. I think these two heads would conflict; they are so intimately connected.

Q. I am not asking that yet. I simply want to know whether the amount of labor that is required of the general superintendent—to look after a farm containing three hundred and eighty acres of land, and to all that appertains to the purchase of supplies for the institution, also for the management of a great institution of that kind, for a man in the physical condition of Doctor Reed—whether it is not putting a burden on him greater than the board of managers ought to require?

A. Yes; but this grand whole is subdivided—it has different heads.

Q. I am coming to that, if you could only give an answer to this question.

A. The heads of those departments are competent men.

Q. Well, Doctor, do you feel that you can't give a categorical answer to the question?

A. If Doctor Reed had to perform all this himself, I should say he could not do it, or any other man; but with the assistance he has, I think he can, and he does do it.

Q. Doctor, what are your duties?

A. I am assistant physician to the male department.

Q. I know that is your title, but what are your duties?

A. I have control of the patients, attendants, and everything that relates to the comfort of the patients, or to their restoration.

Q. How many patients have you under your charge?

A. Three hundred now, sir.

Q. Without going into any details, I will ask you the same question, whether in your judgment, after six years' experience, you think that they impose a burden upon you, more than they should, in requiring you to furnish the supplies, the clothing, and things of that kind, and still, at the same time, take charge as a physician, of three hundred and odd insane people?

A. I would not like to put myself as a complainer.

Q. Not at all; I am simply asking your opinion and your judgment, whether or not you consider that you are overworked?

A. My answer to that might be that I have always plenty to do.

By Mr. Graham :

Q. Are you familiar with other institutions—insane asylums ?

A. Yes, sir ; I have visited several eastern institutions.

Q. What are the duties which are required from you, compared with persons similarly situated in other institutions ?

A. In some institutions they have more assistant physicians, and in others the same as we have, in those that I am familiar with ; I have visited a number of them, and have some knowledge of the manner in which they are run.

By Major Walker :

Q. You have charge of over three hundred male insane people ?

A. Yes, sir.

Q. Do you or do you not have to distribute clothing and supplies for all those three hundred and odd patients, have immediate charge of them all, and state whether you don't compound your own medicines.

A. Yes, sir ; I put up my own prescriptions. The medicine is taken around by the supervisor ; I order the supplies for the ward, for instance, for the dining-room ; that order is given to the attendant who has charge of the hall.

Q. Does it not all pass through your hands ?

A. I superintend it.

Q. Do you give the original order ?

A. I write the order.

Q. Doctor, of course, in this extended examination, we understand that a person, to be admitted to the hospital, should have the certificate of two physicians ?

A. Yes, sir.

Q. I wish you would state to the committee whether patients are admitted to the hospital down there on the certificates of Dixmont Hospital ; and if so, how often it is done, and by whom.

A. It has been done several times, to my knowledge, but the certificate is only signed by one physician of the hospital, and he always belongs to the opposite department to which the patient is admitted, and therefore, he can have no possible interest in the patient after he is admitted, and that has only been done in cases where it was injurious to remove the patient from the hospital after he had been brought there ; when they were suffering from exhaustion, and when it would possibly have caused their death if removed, and at that time they had all been examined by one physician outside of the hospital.

Q. Then patients are admitted on the certificate of the physicians of the hospital ?

A. On the certificate of the physician to the opposite department of the hospital to which the patient is admitted.

By Mr. Reed :

Q. Is that the rule, or an exception ?

A. It is an exception.

By Major Walker :

Q. Are there ever any patients brought there without a certificate, which is made up at the asylum—patients coming there for admission, and the certificates made up after they arrive there ?

A. Yes, sir ; I have sent to Pittsburgh and had them go there —

Q. I mean from the physicians in the asylum ?

A. In that case it has always been signed by one person who has no connection with the hospital ; if a female patient, I would examine her ; and

after having examined her to discover whether she was a proper patient to be admitted to the hospital, I would so certify; if a male patient, he is examined by Doctor Hutchinson, and he would probably never see him again.

Q. I want to ask you whether or not there are patients admitted to the asylum upon the certificate of Doctor Hutchinson or yourself?

A. No, sir.

Q. Or Doctor Reed?

A. No, sir; never two physicians connected with Dixmont Asylum have ever signed a certificate to admit patients.

Q. There are some of them have signed for one?

A. A few.

Q. How many?

A. In my recollection, not more than six or seven.

Q. During your time, have you ever discharged any insane persons cured or restored?

A. I will say restored; yes, sir.

Q. Have you ever discharged any patients restored perfectly, who have been returned there as insane people?

A. We suppose they were perfectly sane at the time they were discharged, believed they were; they subsequently, however, returned to the hospital.

Q. You have discharged people whom you thought were restored, and they have been returned?

A. Yes, sir.

Q. In the wards where the clothes-room is situated, who has that in charge—the immediate charge of it?

A. The attendant of that ward—the man who has charge of the hall.

Q. Is it a place that is locked up?

A. Yes, sir; always.

Q. Always locked?

A. Yes, sir; or supposed to be, except when they are going in or out on business.

Q. You testified here, a moment ago, in reference to a book of Doctor Sevin, that it could not have been taken unless it was taken by a patient.

A. No, sir; I said that book could not have been taken in another ward. It might have been taken in another ward by a patient who picked it up outside while out walking.

Q. What I desire to know is, whether this clothes-room was under the immediate control of the attendant?

A. Yes, sir.

Q. And what I desire further to know is, how the patient could get into this clothing-room?

A. He didn't get into it.

Q. You testified there is where the book was.

A. He didn't get it there; he got it outside in the waste-box, and carried it into his own ward. The attendant carried them out and threw them into this box. James Wood picked them up and carried them into his ward.

By Mr. McCrum:

Q. Do you know about how many attendants have left Dixmont Hospital since this investigation commenced?

A. Five, to my knowledge; that is as many as I can recollect now.

Q. Is that an unusual number to leave in that length of time?

A. Oh, no; I know more than that have left at one time; specially in the spring there is a general exodus.

Q. You say that you have the address of those that have left.

A. Yes, sir ; I had them while they were in the city, and I can obtain them now if you wish them.

Q. It was stated in the city papers that nine had left—is that true ?

A. That is a mistake.

Q. In reference to this examination which Mr. Loomis testified to in reference to J. W. Carroll's case, did he ever enter any complaint to the hospital—any formal complaint ?

A. He never did, sir.

Q. Then this examination, as I understand it, was brought about by newspaper reports ?

A. Yes, sir ; which appeared in the Oil City *Derrick*—the first charges.

Q. Then was Mr. Carroll notified of the fact that they were going to hold an investigation, or his friends ?

A. No, he was not.

Q. It was an *ex-parte* examination ?

A. Yes, sir ; we didn't consider Mr. Carroll competent to testify at that time, or we might have summoned him. I didn't consider him a sane man, and therefore he was not notified.

Q. It was possible that this examination might have terminated differently if the other side had been heard ?

A. I think not.

Q. There has been a great deal said about the abuses that existed in the hospital. That might or might not exist without your knowledge, or Doctor Reed's, or Doctor Hutchinson's.

A. Such a thing is possible, but I think it highly improbable.

Q. It was suggested that a patient was locked up by an attendant, so that Doctor Wiley should not see the marks or bruises.

A. That is not so. I examined that man myself all over thoroughly the first time he came into the hospital, and the morning of the second day ; and I know all about it. There is no man in that institution I have not seen every day since I have been connected with it, excepting while I was away on vacation and since this investigation commenced, during the six years of my stay there.

Q. In going through the wards, might not they have a patient concealed away so that you would not observe it ?

A. No, sir ; especially a new patient for I see him the first day, and when I go in I always inquire for him first upon my entrance in the ward.

Q. Might not an old patient ?

A. No, sir ; I might possibly not notice him in the room but if a door were locked I would certainly open it—I always unlock every door myself.

By Mr. McKenna :

Q. You would not pass a locked door ?

A. No, sir ; I unlock every door.

Q. Doctor, you spoke about vacations ; how long is your vacation, and how many have you taken since your connection with the institution ?

A. I am entitled to a vacation of two weeks every year ; in the six years I have been there I have taken but five.

By Mr. McCrum :

Q. You say you pass through the wards every day and open every door ?

A. Yes, sir ; I do.

Q. But you say it is possible for abuses to exist and you not know it ?

A. I say it is possible, but not to any great extent ; I think it very improbable. I am on the lookout for abuses and unnecessary force being

used, but I know it is necessary to use force sometimes in controlling violent patients, but it is not necessary at an time to abuse one; if a man was abused in any particular I would find it out.

Q. Mr. Brown testified yesterday that Harper told that he would keep this patient so that Doctor Wylie could not see him, and if he did see him he would say that Carroll had been fighting with another patient.

A. He never was secreted from me; I saw him the day he came, also the next morning, and every day after. No man has been secreted from me since I came into that institution.

Q. I was going to ask you if such cases could occur.

A. No, sir; if I saw anything suspicious about a patient I investigated it, and if I saw a patient with bruises I did not take the attendant's word as to how it happened, but I also called other patients whom I considered competent to give information, and questioned them thoroughly in regard to it.

By Major Walker :

Q. Did not Mr. Brown testify that there was a strait-jacket kept on him for a number of days so you should not see the bruises?

A. I know I had that jacket off and examined Mr. Carroll, critically, after he was in the eighth ward. At that time I examined those ribs which he has asserted were broken. I saw no evidence of it whatever, but did find evidences of an enlarged spleen, which I attributed at that time to malaria, and which his brother afterwards mistook for a tumor.

By Mr. McCrum :

Q. You say you admitted him at the lowest rates allowed by law?

A. I don't say by law, but it is the lowest rates I am allowed to make by the rules of the institution, which is four dollars per week. They are, however, admitted at three dollars per week, by special action of the committee, but neither Doctor Reed nor myself have the power to admit a patient at that rate.

Q. A patient that is admitted at three dollars per week—would there be any difference in their treatment as compared with one admitted at four dollars or over?

A. There is no difference whatever, whether a patient is public or private. We simply recognize the diseases in the treatment of a patient, ignoring altogether his pecuniary and social conditions.

Q. Do you or do the authorities of the hospital read all the letters that are written by friends to patients in the hospital before they are delivered to patients?

A. They are not read at all. We read those that go out unless we know that the patient is able to write intelligently and respectfully to his friends. We hardly ever read letters from those patients, but if we know a patient is addicted to writing obscene letters to persons to whom he is, perhaps, totally unknown or slightly acquainted with, we scrutinize them carefully.

Q. But those letters that come in?

A. We do not read them at all unless by the direction of the patient himself. In the case of Doctor Sevin, he requested Doctor Reed to withhold any letter the doctor supposed was coming from his son and open it, because he was annoyed very much by their receipt. I will state this, however, that it has been my experience that it is not always best to allow patients to receive letters indiscriminately from their friends. I have observed their effect in some cases has been positively injurious.

Q. That is the only case in which you did open letters to patients?

A. Yes, sir; to my knowledge, because we are not allowed by him to open them.

Q. And you don't in every instance—except in the case you speak of?

A. Yes, sir.

Q. No letters have been withheld whatever?

A. No, sir; except in the instances I have mentioned.

Q. You have spoken of patients having been taken out of the hospital by writ of habeas corpus.

A. Yes, sir.

Q. Has that ever occurred?

A. Yes, sir.

Q. How recently?

A. In one case not more than four months ago. This patient was brought to the hospital, and we were asked to certify to his insanity; we refused to do so; I considered he was simply under the influence of intoxicating liquors; Doctor Hutchinson, at my solicitation, also looked at him and concurred with me; I told them to take him to Pittsburgh and have him examined by two physicians, and if they would certify before an alderman that he was insane and a proper person to be admitted into the hospital, we would, under the law, be compelled to receive him, but we would immediately discharge him when he was over the effects of his potations; therefore, I advised them to take him to court and have him admitted by order of court under the special act relating to the confinement of inebriates in insane asylums; the following day they brought him back, and he was admitted on the order of court; he was discharged and taken home after being there three months; however, in about five weeks he was returned to the hospital and again committed under an order of court, the last commitment reading that he should be retained until he be cured; the first commitment under which he was committed read "Until the temporary insanity has passed off;" the second commitment did not give us any authority whatever to discharge him until he was cured. We did not consider he was cured. He consulted with and wrote to his friends, who became anxious to have him released; a writ was served upon us, and I appeared before Judge Kirkpatrick and stated that the man was not cured; but that they might give him another trial, we having no objections whatever thereto; all that we wished was a discharge from court to complete our record; the order of court that committed him to the hospital the second time made it obligatory that he should be retained in the hospital until he be cured.

Q. Are writs of *habeas corpus* frequently resorted to for the removal of patients from hospitals?

A. No, sir; it is a very rare proceeding; that is the second one in six years, to my knowledge; one female and one male.

Q. Do you know where this man Hoeffler is now?

A. I do not; I discharged him, I know that very well.

Q. What did Doctor Sevin's committee pay the authorities a month?

A. They did not pay Dixmont at all; they paid the directors of the poor of Erie county, who re-imbursed the hospital.

Q. What did the directors of the poor of Erie county pay you?

A. Three dollars, the legal State rate; I am not quite positive, but I think when Doctor Sevin was first admitted he was admitted as a private patient; but his funds were becoming exhausted, and they made an arrangement with the directors of the poor of Erie county, and they paid the hospital for his maintenance.

Q. He was charged to Erie county lately?

A. Yes, sir.

Q. As a three-dollar patient?

A. Yes, sir.

Q. Didn't he pay considerable higher when first admitted?

A. That may have been, sir; I cannot state; not more than five dollars per week, however.

Q. Are you under the impression that you are required to keep patients there who are certified to as being insane by two physicians, whether or not they are insane. That is, if in your opinion they are not insane, do you admit them, and think you are required to keep them there?

A. No, sir; Doctor Reed would discharge them.

Q. Notwithstanding the fact that they were certified to by two reputable physicians as being insane?

A. Yes, sir; he would.

Q. As soon as Doctor Reed discovered they were sane they would be immediately discharged?

A. Yes, sir; a physician might mistake narcotism for insanity; such cases have occurred in the asylums.

By Mr. Graham:

Q. Would not Doctor Reed have to notify his friends by whom he was committed?

A. Not necessarily; the superintendent has power to discharge a patient at any time, when in his opinion he considers him sane, without notifying any one; as a matter of courtesy he usually does, though.

Q. And if admitted by court?

A. He could not discharge them if admitted by order of court, until a further order of court.

By Mr. McCrum:

Q. You consider yourself in duty bound to accept a patient whose insanity is certified to by two physicians?

A. Yes, sir; then the law allows us to discharge him immediately, upon finding them to be sane, which we would do.

By Mr. McNeill:

Q. Are you required to know anything about the physicians who certify to patient's insanity?

A. They have to swear that this man is insane, and then the alderman certifies that these physicians are reputable and responsible, and this examination must have taken place within a week previous to his presentation for admission. As an illustration: if two physicians would sign the certificate the first day of the month, and the patient be brought there on the 15th, we would not admit him, because the law requires the examination shall have been made within ten days of the date of admission.

Q. I wish you would explain your answer to Major Walker, why it is sometimes necessary to have one resident physician at Dixmont join in the certificate with a foreign physician; why do you not have two strange physicians?

A. Because the parties that come there with patients are often very ignorant of the law with reference to commitments of insane patients, coming there without any papers whatever; they have the patient there then without a certificate, and the patient may be in a critical condition; therefore, we do it as an act of humanity and removal from the hospital for further examination might be deleterious to the patient.

Q. In such cases do the physicians of Dixmont ever certify to doubtful cases?

A. They are positive or they would not certify; then they are also sworn just the same as the other physicians; it is not as an official of the hospital that it is signed by them.

Q. Doctor, you read the short-hand notes of the reporter; have you any corrections to make in them?

A. Yes, sir, I have; in looking over it I see in my testimony in reference to Mr. Parks I am credited with saying that he was afraid of himself, whereas, it should be that "he was afraid of eriminating himself."

Q. Did you receive any letters from Mr. Brown?

A. I believe I reeeived two. I rceieved letters which Mr. Brown had received in correspondence between himself and Mr. Carroll, after Carroll's removal from the hospital.

Q. Did you receive that letter?

[Letter shown witness.]

A. I did.

[Whereupon the letter was passed to the committee who examined the same.]

On motion of Major Walker, seconded by Mr. McCrum, the testimony in reference to the investigation of Dixmont by the State of Pennsylvania was declared to be closed.



WESTERN PENITENTIARY.

To the Senate and House of Representatives :

GENTLEMEN : The joint committce, appointed under the following resolution :

“ *Resolved*, (the Senate concurring,) That the joint committee appointed to inquire into the management of the Western Pennsylvania Hospital, at Dixmont, be and are hereby directed to investigate the financial and labor departments of the Western Penitentiary ; also, to inquire as to the progress of the work on the new building, the necessity, if any, for further immediate appropriation for the same, the probable amount required to complete the buildings, walls, &c. ; also, the number of unoccupied cells in the buildings, and report to the Legislature as soon as possible,”

Would report that they have performed that duty, and find as follows :

First. That it will require, as near as we are able to learn, the full amount of the appropriation asked for to complete main building and east wing of the new building at Riverside, and place the same in condition for the reception of the prisoners now confined in the old buildings in Allegheny City. With this building completed, and the prisoners and officers transferred to the same, will reduce the expenses in officers' salaries alone at least fifteen thousand dollars per year, as under the present management it requires two sets of officers. We, therefore, recommend that the appropriation asked for be granted.

Second. That we made a thorough inspection of both the old and new buildings, and find that there are no empty cells in either ; but, on the other hand, we find that there are over one hundred cells with *two* prisoners in each, and eight with *three* each.

We visited the different workshops, and find that there are employed in the shoe-shop two hundred and twenty-five men ; in the chain-shop, one hundred and eleven ; in the broom-shop, fifty-nine ; in the cigar-shop, thirty-three ; in the tin-shop, twenty-two ; in the iron-structural shop, fifteen—a total of four hundred and fifty. The State receives fifty cents a day for each prisoner so employed. Generally speaking, they are contented and have little fault to find with the tasks allotted them, and prefer to be employed to being kept in solitary confinement. The prisoners have earned and received over twenty-six thousand dollars for overwork during the past two years.

Third. That we consider the new building in course of completion as near what a model institution of the kind should be as is possible, with the single exception that the larger portion of the cells are too small, but it is too late to remedy this defect.

The committee entered somewhat at length into the question of authority exercised by the board of managers in granting the right of way through the grounds to the Pittsburgh and Western railroad, and, while expressing no opinion in the matter, would call the attention of the law department of the State to the papers in the case submitted herewith.

Finally, for more full and detailed statement of the financial and labor department of this institution, we would refer you to the testimony taken by the committee, which is presented as a part of this report, believing that it will be useful and instructive to those interested in prison discipline and reform.

All of which is respectfully submitted.

J. J. McCURUM,
JAMES L. GRAHAM,
HUGH McNEILL,
JOHN W. WALKER,
WILLIAM W. HART.

TESTIMONY.

And now, to wit: March 22, A. D. 1883, committee met at the Western Penitentiary pursuant to the following resolution:

“*Resolved*, (the Senate concurring,) That the joint committee appointed to inquire into the management of the Western Pennsylvania Hospital, at Dixmont, be and are hereby directed to investigate the financial and labor departments of the Western Penitentiary.

“Also, to inquire as to the progress of the work on the new building; the necessity, if any, for further immediate appropriations for the same, and probable amount requisite to complete the buildings, walls, &c. Also, the number of unoccupied cells in the old building, and report to the Legislature as early as possible.”

Present: Chairman McCrum, Senators McNeill and Hart, Representatives Walker and Graham, and witnesses, and the hearing of testimony proceeds.

EDWARD S. WRIGHT, a witness who appeared before the committee and being duly sworn, testified as follows:

By Mr. McCrum:

Q. State the official position you occupy, and for what length of time you have held the same.

A. I am warden of the Western Penitentiary, and have filled the position since February, 1869.

Q. What are your duties?

A. I have charge of this institution as well as Riverside.

Q. How are you elected?

A. I am elected by the board of inspectors of the Western Penitentiary, for six months at a time.

Q. State what authority you have.

A. The inspectors appoint the warden, deputy warden, chaplain, physician, clerk, teacher, and matron. I appoint all other officers, by the approval of the board, consisting of assistant deputy warden, steward, assistant steward, engineer, assistant engineer, one general overseer, eight overseers of first grade, five of second grade, sixteen of third grade; there are four night-watchmen for the old building, five watchmen for the new building, four yardguards, one assistant doorkeeper, one teamster, one gasmaker, these constitute the officers for the two buildings.

Q. Will you please state the salaries of the different officers?

A. The warden, with apartments, \$2,500; deputy warden, with apartments, \$1,500; chaplain, with apartments, \$1,500; physician, \$1,200; clerk, \$1,500; assistant deputy warden, \$1,000; steward, \$1,000; assistant steward, \$800; engineer, \$1,000; assistant engineer, \$900; teacher, \$900; general overseer, \$750; eight overseers, at \$850 each, \$6,800; five overseers, at \$800 each, \$4,000; sixteen guards, at \$700 each, \$11,200; four watchmen, at \$750 each, \$3,000; five watchmen, at \$700 each, \$3,500; door and gatekeeper, \$800; assistant doorkeeper, \$500; teamster, \$600; gasmaker,

\$700; matron, \$700; four watchmen, at \$600 each, \$2,400; amounting in all to \$48,750.

Q. From what fund do you derive the difference between \$48,750 and \$35,000? The State appropriation for that purpose?

A. The difference is derived from the earnings of the prisoners.

Q. What was the total expense for salaries for 1882?

A. \$46,893 43.

Q. How is the difference between that sum and the amount actually expended made up?

A. From the earnings of the prisoners. The reason it is higher for 1883 than 1882 is simply the necessary increase of officers. The \$35,000 appropriated by the State for the salaries of officers and employés, and the balance was charged to the prison, and paid out of the earnings of the prison, and not out of any State appropriation. The act of April, 1829, is the authority for using the firm funds to make up any deficiencies.

Q. How many convicts are there now in the old building?

A. There are now four hundred and fifty-two prisoners in the old building.

Q. How many cells are there in the old building?

A. There are three hundred and eighteen cells for prisoners, and twelve hospital cells, making three hundred and thirty in all.

Q. State in what manner these men are confined, in reference to the number in each cell; also giving the size of the cells.

A. There are two hundred and eighty-one cells, one prisoner in each cell; eighty-nine cells have two men in each; eleven double cells with two men in each, and eight cells having three men in each. They say the average size on the first floor is eleven feet ten inches high, and fifteen feet two inches long, and seven feet ten inches wide. On the second floor they are eleven feet seven inches long, seven feet seven inches wide; there is a window to each cell, the average size of which is two feet four inches; the ventilation in the outside wall two feet by four inches, and the ceiling ventilator six inches in diameter.

By Senator Hart:

Q. I desire to ask you in reference to the sewerage of the building.

A. The sewerage from the cells to the blocks has been notoriously defective for many years; fourteen years ago I absolutely condemned one block in my report, and it remains the same to-day; it is notoriously defective from the cells to the main block.

Q. How does the present number of convicts that are in the penitentiary compare with the average number?

A. A year ago we had eight hundred and some thirty odd; when the new penitentiary commenced we slipped back and back until we went down a little under six hundred. In the last three or four months we seem to have been steadily increasing; at the first of this year we had six hundred and forty-two, and now we have six hundred and seventy-four; we gain right back the number that seems to be discharged; we seem to be increasing in population.

By Mr. Graham:

Q. What effect will the erection of the middle penitentiary have upon the population of the Riverside institution?

A. When the State Industrial Reformatory, as it is called, is completed at Huntingdon, it will probably take the most of our young men, say up to twenty-five years.

By Chairman McCrum:

Q. What number will that be?

A. It forms a very large percentage of our population. By taking in

one year it will give you very near the average number; for instance, taking last year—which is very near it—it will be very near forty per cent. of our population; about forty per cent. of our population one year with another, is under twenty-five years of age.

Q. The probabilities are, then, that the present Riverside building, as it stands, with the contemplated central building, will be adapted for all demands?

A. I don't think you will hear of any application for a number of years for an appropriation to increase the size of the Riverside buildings after those contemplated are completed.

By Major Walker:

Q. On what do you base your opinion?

A. I base it upon the fact that to-day we could accommodate all, if the new penitentiary was completed. The population of penitentiaries does not go backwards, it doubles itself every few years, and if forty per cent. of the criminals were removed to the State Reformatory it would be a long time before we would catch up.

Q. How do you get at that forty per cent?

A. The present act of assembly is that first-committed men under twenty-five years of age, if deemed suitable by the judges, are to be committed to that reformatory; recommitted men are to go to the old penitentiary, that is, those on the second and third commitment.

Q. Is your estimate of forty per cent. being under twenty-five years of age based on the last year?

A. Not necessarily; it is really in the last year forty-five per cent. to be within bounds I have said that it would average forty per cent.

By Mr. McNeill:

Q. Would that penitentiary have adequate accommodations to receive that class of prisoners from all over the State?

A. I doubt it very much, if they withdraw from the Eastern and Western penitentiaries; and not only that, but counties which now keep their own prisoners will also get the benefit of the reformatory, and I doubt very much if five hundred cells will be enough.

Q. Forty per cent. of the entire criminal class will surely be more than what can be accommodated there?

A. Yes, sir; it will fill up so rapidly. The original intention of the reformatory was that there should be transferred, from the penitentiaries, such persons as might be suitable for the discipline of such a place; it was to be a sort of place of rescue, but as the act now reads, they are to be sent directly there by the judges.

By Major Walker:

Q. Have you that act?

A. No, sir; I am only quoting from memory.

By Mr. McNeill:

Q. About what is the criminal population in the penitentiaries over the State?

A. I quote from the memorandum of the Board of Charities; the Eastern Penitentiary had 980, and we had 642——

Q. That would be nearly 1,700?

A. Not quite; 1,620.

Q. Forty per cent. of that would be over 600?

A. Yes, sir; they very quickly fill up. The average sentence of a prisoner is also a curious problem; the average is three years, one month, and six and one sixth days.

By Senator Hart :

Q. How many prisoners are now confined at Riverside, or the new penitentiary ?

A. This morning we have 322 prisoners there.

Q. State whether they are kept in the new building proper, or where they are confined.

A. They are confined in the north and south wings of the old House of Refuge, in temporary cells ; in the north wing there are 124 cells, two of which are required for special uses, making 122 available for prisoners ; three are empty this morning, leaving 119 occupied ; in the south wing we have 88 cells, two are kept for special uses and one is empty, leaving 85 occupied. In the north wing, with 122 cells, we have 125 men ; in the south wing, with 86 cells, we have 83 men. We have one man in the hospital, and eight women, making 232 of a population.

By Mr. Graham :

Q. Do you regard the cells of the old House of Refuge that you are now occupying, and using for the detention of your prisoners, as safe ?

A. I do not ; it is most wonderful that we have been able to keep in men, and such men as we have there, and it is very much to the credit of the people who are and have been there, that they have done so well. They are but temporary cells, from which the boys and girls used to escape easily.

By Mr. McNeill :

Q. I suppose you select the men to go there ?

A. They are mostly short-time men.

By Chairman McCrum :

Q. Men not likely to be troublesome ?

A. No, sir ; we select from the newly arrived short-time men, and, as Senator McNeill knows from experience, time has very little to do with their being troublesome or not.

By Major Walker :

Q. What experience has the Senator had in a penitentiary ?

A. He is the head of another institution, which has given him a great deal of experience.

By Senator Hart :

Q. What extra precautions do you take in order to make the prisoners that are confined in the building that you have spoken of reasonably secure ?

A. We burn gas in the cells all night, and we employ what is certainly equal to a double force of officers, so that a man cannot stir in his room without the officer inside noticing it, and he cannot walk across it unless his shadow is reflected in the yard, and the men in the yard will notice it. The light and extra force of officers are all the precautions that are used.

Q. You have sentinels around here ?

A. Yes, sir ; the men are not allowed to leave the planks night or day. We have an extra man inside and also an extra man outside to relieve them whenever it is necessary. We have a man outside and inside, as a relief, waiting there—a loose man—besides employing, really, what is equal to a double set of officers at that place.

By Chairman McCrum :

Q. When the new penitentiary is completed, and you have moved all the prisoners from here down there, what reduction will it make in your force ?

A. Not speaking exactly, I suppose it will be at least eighteen officers.

Q. What reduction in dollars and cents ?

A. I don't think we will ask \$36,000 from the State.

By Major Walker :

Q. Explain how that reduction occurs ?

A. For instance, we have an assistant and deputy wardens, and assistant steward and a double set of officers ; in fact, three sets of night officers, yard-guards, patrolling-guards down there. When it is completed one man on the wall on each plank would be enough in daylight, and one or two officers on the far one outside ; at night about three or four would be sufficient —

Q. In other words, it will make a reduction of about \$15,000 a year ?

A. Yes, sir ; I think we can get through with about \$35,000.

By Major Walker :

Q. Do we understand that eighteen attendants or whatever you call them—the officers—when you move into the new penitentiary, that you will require eighteen less than you require here ?

A. Less than in the two institutions.

Q. You have a double force down there now ?

A. Yes, sir.

Q. When you move in the new penitentiary will you require more or less than you have now ?

A. I think we will require about eighteen less.

Q. What will be the difference between this institution proper and Riverside, when you get them all down there ?

A. I can't give you an exact answer to that, because the number of shops and rooms are not determined on at Riverside. If we have many little shops it will require more officers than if there are a number of large shops ; three or four large shops will require less officers than if you cut them up into smaller industries. If you have ten different interests or industries you will require ten men ; consolidate them into four large shops or industries and you will only require three or four officers.

Q. What has the board suggested in reference to that ?

A. I believe our board is in favor of having smaller interests in place of having too many eggs in one basket.

Q. Have they taken any official action ?

A. Yes, sir ; six years ago, when another legislative committee was here, we had very much larger shops than we have now —

Q. I am not asking that—have your board of inspectors taken any action ?

A. No, sir ; we have only started to build ; one shop is partly built.

Q. I see you have a drawing of the penitentiary—is that it ? [referring to a picture on the wall.]

A. No, sir ; that is a fancy sketch. There are no rear buildings as yet. We find the temporary shops are sufficient for all we require of them at the present time.

Q. When we were down there the other day I understood you to say it was in contemplation to build shops along the wall.

A. Only one shop.

Q. The whole length of the wall ?

A. No, sir ; there is space for a street at either end.

Q. Have you any plans of the new penitentiary, or Riverside ?

A. Yes, sir ; full plans. The gentlemen present can tell all about them.

Q. Have the buildings, so far as built, been constructed in accordance with the plans ?

A. I believe the building to-day is better than the plans.

Q. You don't understand me. I am not asking whether it is better or worse. Has it been built in accordance with the general plan ?

A. I believe it has.

Q. You still don't understand me, evidently ; because one wing of it is not built at all.

A. I am speaking of the north wing, so far as it has progressed.

Q. Then the north wing has not been built ?

A. The north wing is the one that has been built.

Q. Which wing has not been built at all ?

A. The south wing.

Q. Do you contemplate to build the south wing at this time ?

A. No, sir.

Q. Which one do you propose to build ?

A. The north wing.

Q. What else ?

A. The central building.

Q. Explain, as well as you can, what the central building is, and what it is for.

A. It is the administration building for the general prison. It is placed also so that an entire observation can be obtained, and in case of any trouble it can be easily detected and best controlled.

Q. Well, what else ?

A. Well, it is for the general administration of all the business that has to be transacted.

Q. What is the business ?

A. The books and accounts and the clerks, the receipt of prisoners and their discharge, and the residence of the officers.

Q. Where do you do your cooking ?

A. Inside of the yard ; not in the center of the building at all.

Q. Not in the center at all ?

A. No, sir.

Q. It will require another building for that ?

A. What we have there now will answer.

Q. You don't contemplate putting a building up ?

A. No, sir.

Q. Is there any in contemplation in the plan ?

A. When that building wears out we will put one up in the rear of the central building.

Q. Do you contemplate asking any appropriations to extend that rear part ?

A. We do not. This is only eighty by ninety. We propose to put the superstructure on the present foundation which you saw on the ground.

Q. The north wing is practically completed ?

A. Practically completed.

Q. What is the length of it ?

A. We call it four hundred and seventy feet, but I think it varies a little.

Q. What are the number of cells in the north wing ?

A. The north wing, it is four hundred and seventy feet from out to out.

Q. How many cells ?

A. Six hundred and forty cells.

Q. Will six hundred and forty cells be sufficient to accommodate the convicts that will be sent to the Western Penitentiary ?

A. No, sir ; we propose to retain for the present, until way in the future, the south wing of the old building, which has eighty-eight cells in it.

Q. That is the old House of Refuge building ?

A. The old House of Refuge building, which is now on the ground and occupied by the prisoners.

Q. Is that the building in which the sewerage is so defective?

A. No, sir; that is this building.

Q. Is it the building that is practically unsafe to put prisoners in?

A. I say it is unsafe except with guards. It is safe with guards, because we have kept them there.

Q. Then, in order to confine your prisoners after you leave here, you require the old building, which you are utilizing now, and also the north wing with six hundred and forty cells?

A. No, sir; the population to-day can be accommodated in the north wing. It may possibly increase, and, therefore, as a safeguard we propose to leave the old one stand.

Q. The north wing would accommodate them all to-day?

A. Yes, sir.

By Mr. Hart:

Q. Without doubling up?

A. No, sir; we would have to double about thirty cells.

By Major Walker:

Q. I wish you would give the committee the dimensions of the cell in the north wing—of the cells?

A. There are five hundred and forty cells five feet wide and eight feet long, I think; they vary in height as you go up the different stories, from nine to ten and one half feet in height. The higher or nearer the roof the higher the ceiling. One hundred cells are seven by eight and the same height as the others; they are called double cells, and intended, if need be, for two persons.

Q. What means are there for conveying light into these cells?

A. All of the cells have slat doors—iron doors open from the floor to the ceiling.

By Mr. Graham:

Q. Not all of them?

A. All of the cells have iron doors opening from the floor to the ceiling, and one hundred, in addition to that door, have an iron window; some of them have a large window two by five feet. They all have a door from the floor to the ceiling including the transom, clear up to the top.

By Major Walker:

Q. What is the object of having a portion of your cells one way and one portion another?

A. In every prison we get epileptic people whom it is not safe to keep alone, and it is better to keep a few cells for the accommodation of such people. Then we design to institute a system of promotion that men who are deserving will get those cells. We intend to arrange a system of classification by which they will get better accommodations, commencing with the poorer sort, and rewarding them with better as they are found to deserve.

By Senator Hart:

Q. How are those cells ventilated?

A. By an apparatus which can, simultaneously, force into and take away from the building two million cubic feet of air every ten minutes, if need be. It is arranged as follows: The fresh air is taken into the building one hundred and twenty feet above the ground, forced through air-boxes containing four thousand feet of one and a quarter inch pipe heated by exhaust steam from the engine, finding its way into the building through ten inch pipes placed fifteen feet apart just inside of the exterior walls of the building. The vitiated air is removed by a pipe leading from the rear of each cell, and connected with exhaust fans which create a suc-

tion, and forced by the same means out of the building one hundred and twenty feet above the ground. By this means a draught is created from the front to the rear of each cell removing all traces of foul air; the water-closets are similarly ventilated by the fans. The air is exhausted by two steam-engines; we have six steam-engines, two for exhausting the air and four for the fresh air. As the season may require we can use one, two, or three, or connect them all together. And then we have fifty-nine windows which are seven by thirty-five feet.

By Major Walker :

Q. You may explain the location of the building as far as regards the river, the height of the water, whether it reaches the building or not so as to stop the sewerage at any time.

A. The new penitentiary is located right on the Ohio River. At the lower end it is some three hundred and odd feet from the high-water line; at the upper end one hundred and forty-five feet from high-water line; we have never had any trouble with the water, and we have had the largest flood, a few weeks ago, that we have had in forty years.

Q. How near did it come to the building?

A. It was estimated that the water would have to rise four feet higher in order to reach the cellar windows.

Q. Was it not three or four feet above the foundation—higher than the foundation of the building?

A. The foundation is way down in the ground. I suppose it was. It didn't extend over the entire yard. It was a zigzag line across it. It extended above the foundation three or four feet; five feet, perhaps, at the lower end of it. It didn't reach the upper end of it.

Q. In the construction of the work, so far as it has progressed, has the work all been paid for?

A. No, sir. We pay eighty per cent. of the estimated work done; we retain twenty per cent. for the faithful performance of the contract.

Q. Have the inspectors of the Western Penitentiary in their possession a sufficient amount of money to pay for the work that has been done?

A. No, sir.

Q. You have anticipated—

A. We have simply anticipated the money that is appropriated.

Q. Gone beyond the amount of money appropriated?

A. No, sir.

Q. I ask you whether the inspectors have enough in their possession to pay for all the work that has been done?

A. They have enough appropriated. It is appropriated by the State, and is in the treasury, but it has not been received as yet.

By Chairman McCrum :

Q. There is money enough appropriated to pay every dollar you owe on that building?

A. Yes, sir.

By Major Walker :

Q. What are we then to understand by your saying that it had been anticipated?

A. The work has been pushed faster than the payments came in.

Q. What is the amount appropriated?

A. The first appropriation was \$100,000, the second \$200,000, and the last is \$260,772.

Q. Making a total of how much?

A. Of \$560,772. Then there is \$28,698 appropriated for real estate, and 21,000 for payment for the reform school board, which the State assumed.

Q. Do you know how much of that large amount of money has been drawn from the treasury?

A. All but one quarter.

Q. How much would that be?

A. \$35,800, and some odd dollars, I think.

Q. When is that due?

A. After we render our quarterly statement of expenditures—the first of April, say.

Q. Then you have enough with that \$35,000, when you receive that, to pay all the indebtedness that has been contracted on account of the Riverside Penitentiary?

A. Yes, sir.

By Chairman McCrum:

Q. This appropriation you are asking for is for that purpose?

A. To put the superstruction on the central building, we ask, to complete the central building, the sum of \$150,000, for work-shops \$55,000, for walls and guards \$65,000, for the boiler-house \$10,000.

Q. When that amount of money is appropriated will that complete the building ready to occupy, and remove from this one to that?

A. It will not cover the expense of removal from this place, that is, the removing from this building, there is not a penny appropriated for the expense of the removal. We expect to provide for that by the value of the material we sell, which we do not need, otherwise we could not do it.

Q. Why will it require a large sum of money for the removal of the prisoners?

A. Oh, that is nothing at all; a part of this act authorized for the removing and tearing down of the prison building.

Q. Then you want the value of the material what is in the building, in addition to that appropriation?

A. Yes, sir.

By Major Walker:

Q. Do you expect to take down this stone wall?

A. Yes, sir. This wall was built in two parts; what we call the new wall is very good, and also some of that which was built twenty-five years ago.

Q. Still you want some \$60,000 for the wall?

A. There is a very large amount not occupied—

Q. And with the amount of stone you take from here down there it will take \$60,000?

A. Our calculation is that the value we have got up here is worth from sixty to seventy-five thousand dollars; a part we expect to sell. There is fifteen miles of pipe in the building, and half a ton of iron in every cell. The window frames are of iron and the doors. We expect to sell all this, and apply the money to the building in the new place.

Q. How is it that the new walls will cost the large sum that you speak of when you are going to take the stone all from here down there to construct it?

A. I think the new walls which are there now are not paid for. It has been paid for partly by loans and by money borrowed from the board, and partly by using other funds.

Q. What authority of law have you to borrow money?

A. I don't know any authority of law just at this moment. I presume there is, as the money was borrowed by the board of inspectors.

Q. Would you refer me to the act of assembly which permits the inspectors to borrow money?

A. No, sir. I can refer you to the act of assembly of 1878, which directed them forthwith to erect the building.

Q. I will ask you whether there is any authority of law which permits the board of inspectors to borrow money.

A. I could not answer that, sir.

Q. Can you inform yourself so that you can answer?

A. The president of the board and other members are here. I don't think I should be required to answer for them when they are within reach.

Q. You are not aware of any law yourself?

A. No, sir.

Q. What right have the board to divert an appropriation that is appropriated for one specific purpose into another?

A. Had we not done so the building could not be occupied in two years.

Q. You don't answer the question. I ask you whether you have any right to do it; and if so, what your right is—where you got it? I do not, at this time, want to go into the merits of why it was done. I simply want an answer to the question—if it has been done, by what authority of law was it done?

A. I suppose the inspectors, sir, will answer.

On motion of Major Walker, adjourned until two o'clock, P. M.

And now, to wit: Two o'clock, P. M., Thursday, March 22, A. D. 1883, committee met, pursuant to adjournment, at the Western Penitentiary, in Allegheny City.

Present: Honorable J. J. McCrum, the chairman, Senators McNeill and Hart, and Representatives Graham and Walker, and witnesses, and the taking of testimony proceeds.

Warden WRIGHT resumes the stand, and examination continued by Senator Hart:

Q. From what funds do you derive the difference between the amounts appropriated by the State for the purpose of paying officers and employes of the penitentiary, and the actual amount that it costs the penitentiary for that purpose?

A. The difference between the costs and the earnings. Under the act of May 31, 1834, we are required to furnish to the several counties a separate account of the expense and labor performed by the prisoners from each county, before any county shall be required to pay any excess for keeping its prisoners; and also to furnish, under oath or affirmation, a similar account to the Legislature annually. (See Purdon's Digest, under the head "Penitentiaries.")

Q. Can you give us a statement of the amount of money that has been expended in the construction of the building proper at Riverside?

A. Yes, sir; I think I can—\$609,558 51.

Q. Does that include the amount that was expended in the construction of the wall around the penitentiary?

A. Yes, sir; so far as it has been completed. There is yet a large block around which no wall has been built. This [referring to paper] embraces the condition of our books at this time; but as to the details—how much is paid to the one account or the other—that is in possession of our architect. He keeps a very correct account of that.

Q. I wish you would please state, for the information of the committee, how the supplies for the penitentiary are purchased.

A. Well, for meats, they are purchased by contract—sometimes for six months and sometimes for twelve, according to the way we can make the best bargain. The other supplies are always purchased in open market.

Q. Do you advertise for bids?

A. We advertise for bids for coal slack and meat. For other things, we go around and buy wherever we can.

Q. How do you let a contract?

A. The board of inspectors award the contract to the lowest bidder. The other supplies are purchased by myself.

By Major Walker:

Q. The inspectors let the contract?

A. For meat and coal, yes, sir.

By Chairman McCrum:

Q. Who are the present contractors for coal?

A. Wettengell & Gormley.

Q. For meats?

A. Dunseath & McComb, agents for Armor & Co.

By Mr. Hart:

Q. What is the contract price for coal?

A. I think the contract price for our lump coal is eight and three quarter cents, and our rough slack four and a half cents per bushel of seventy-six pounds.

By Major Walker:

Q. Where is this coal weighed?

A. Right at this building, on our own scales. Every load is weighed before we receive it.

By Chairman McCrum:

Q. What is the price for meat?

A. It varies according to the kind. We select from time to time as it suits us best. We are now paying six and one fourth, one half, three fourths, and seven cents a pound. It varies according to the various qualities we order, averaging about six dollars and sixty cents per hundred, maybe a small fraction more or less.

Q. How do advertise these proposals?

A. In the newspapers.

Q. And receive sealed bids?

A. Yes, sir.

Q. Which are opened by the board of inspectors?

A. Yes, sir; opened right at this table by the board.

Q. And the contracts are always awarded to the lowest bidder?

A. I believe so; I am not present at the meeting, but I have no reason to doubt it.

Q. It is done under the supervision and by the Board of Inspectors?

A. Yes, sir; the bids are opened by them.

By Chairman McCrum:

Q. Do you inspect the supplies here or have some one to do it. to see that they are up to the proper standard and to the specification of the contract?

A. Yes, sir; they are examined every morning by the steward and by a deputy, and if there is any doubt or dispute, I am called in; and very frequently an inspector comes along and looks at it—they are very critical about such things.

By Mr. Hart:

Q. How many men are now employed in the shops at the penitentiary, including the Riverside and this?

A. I counted on Tuesday last, I have not counted since then ; on that day there were about four hundred and fifty, and I suppose it would be about that to-day.

By Chairman McCrum :

Q. On contract work ?

A. On contract work ; yes, sir.

By Mr. McNeill :

Q. Before we leave this subject in reference to the meat question, I wish to say that I was approached by two or three prisoners who stated that the meat was spoiled from having been kept too long ; state if there is any truth in that.

A. Our meat comes two or three times a week, but it is on ice ; it is all received at this building, and it is kept on ice until it is used. I have seen the meat many times, and know all about it, and there are three or four gentlemen in the room, also, who know the same thing. I don't think there is a word of truth in it ; it is good meat, nicely put up, and kept in good condition on ice until it is used.

By Mr. Hart :

Q. How are the contracts for prison labor obtained and negotiated ?

A. Our contracts really have to be negotiated, having but one building ; we cannot advertise for labor in the ordinary sense of the term, because we cannot employ it ; only such labor as is suitable for our small building, so we have to negotiate. The contract rate at the present time is fifty cents per day.

By Chairman McCrum :

Q. The State receives fifty cents per day ?

A. The State receives fifty cents every day for a man's labor from the time that he enters into the shop. There is no discount for apprenticeship or want of skill.

By Mr. Hart :

Q. What class of labor is performed by the inmates under the contract system—the various trades, I mean ?

A. In our shoe-shops at the first of this year we had two hundred and twenty-five men and women engaged in the manufacture of shoes ; in the chain-shops, one hundred and eleven ; in the broom-shop, fifty-nine ; in the cigar-shop, thirty-three, and in the tin-shop, twenty-two. We have since got another—a structural iron-shop—in which we now have fifteen, the number has varied a little since then ; the total on last Tuesday or now, being four hundred and fifty. The shoe-shop has fallen off.

Q. For whom are you manufacturing shoes ?

A. The Riverside Shoe Company, Limited.

By Chairman McCrum :

Q. Do you know whom the firm consists of ?

A. No, sir ; but I know that two of the parties are William E. Schmertz and C. M. Henderson, of Chicago ; I believe those two are the only members ; there may be other parties connected with the firms that I don't know of.

By Mr. Hart :

Q. Is it an incorporated company ?

A. I believe it is ; under the limited law.

By Chairman McCrum :

Q. How often do they settle with you for their labor ?

A. Every contractor adjusts his account within the first ten days of every month.

Q. Do they employ the foremen ?

A. All foremen, and all necessary agents, except our guards in the shop.

Q. They furnish all the machinery?

A. All the machinery; we only own, in any of these shops, the main line of steam-pipe; Schmertz owns his own engine, and pays besides \$1,200 a year rent for the room, and pays fifty cents a day for the labor; owns all the machinery and the engine; we furnish the steam and heat to the building; he also furnishes, for the men employed by him, tobacco, which is given them under the law of 1866, and we distribute it. In the chain-shop we get fifty cents a day and tobacco, as before, and get a thousand dollars a year for the steam; we own the engine in that case. One engine at Riverside drives all the machinery.

Q. How much did you say the rent was?

A. A thousand dollars.

Q. Who has the contract?

A. I think the contract is signed by John H. McMahon; I believe, since it was signed, he has taken his brother with him, but our contract was signed by him.

Q. Where does he live?

A. He lives in Beaver county, this State, but is in Florida at the present time.

Q. Is he a dealer?

A. A manufacturer of chains.

Q. Is he a manufacturer also out of the penitentiary?

A. I don't know; he did have a factory at Beaver Falls; I don't know whether he has now or not; I haven't been there for some time.

Q. Is fifty cents a day an average price for labor in institutions of this kind throughout the State or Commonwealth?

A. Throughout the United States, taking fifty cents a day and our rent charge—which is a very unusual charge—I think it is a very fair average, at this time, for prison labor.

Q. Have you any other applications for this labor?

A. We have had application recently for the labor, but until now we have never been able to consider them, having no yard room. We had but one shop built under the appropriation of 1874, and could only use it.

Q. These men all work on tasks?

A. On tasks.

Q. Are they all allowed overwork that request it?

A. No, sir; overwork is regulated pretty much by the supply and demand, for if it was otherwise the manufacturer might not be able to sell the goods. The last few years, however, there has been good opportunities for overwork.

Q. There has been complaint made that favoritism is shown in giving out overwork.

A. I don't think there is much of that. There may be in some shops very little chance, in others more.

Q. Who has the giving of it out?

A. The contractor. It rests altogether with the manager. When a man would want overwork he would apply to us, and we would insist upon the contractor giving that man the same chance as another.

Q. If a man wanted overwork he would apply to you for it?

A. He would apply to the guard at the shop, who would probably ask the foreman, and if it could be procured it would be given to him, and nine times out of ten that is the last we would hear of it. But if there was any favoritism shown, or complaint made to us, we would certainly ask why he could not have it. And if he was a careless and rough fellow, they

would probably say that he would get it as soon as he became more expert—that is, if there was overwork in that shop.

Q. Are there complaints made in regard to overwork?

A. Sometimes.

Q. Do you investigate them?

A. Always.

Q. Have you or the authorities here anything to say as to who their foreman shall be?

A. Yes, sir. If they send improper persons, people of dissipated habits, I take occasion to speak and admonish them, and in case they still retain those people, I tell them they can't come in.

Q. Do they have anything to do with the punishment of the prisoners?

A. Not the slightest.

Q. Not allowed to?

A. Not if I know it, or any of the inspectors know it, or anybody in control.

By Mr. Hart:

Q. What allowance is made to a prisoner for overwork?

A. That is set forth in the contracts I have handed you. It is put on the basis of a day's task—that is, if a man does a task and a half task he gets a quarter; a day's task extra he gets fifty cents, and they make a great deal of money. Just at this point I would like to show you the amount of overwork that has been done, and money earned, by the prisoners in 1881 and 1882 in our shops:

In our shoe-shops two hundred and fifty-four prisoners earned \$6,744 61; in the chains-hops one hundred and thirty-three prisoners earned \$2,193 56; in the broom-shops one hundred and six men earned \$2,628 31; in the cigar-shops forty-three men earned \$611 83; in the tin shops fourteen men earned \$78 85; on our new building fifty-four men earned \$1,977 63; eight men earned, in general work, \$157 12.

Q. I understand that is overwork?

A. That is overwork and paid in cash to the men.

In the year 1882 in the shoe-shops two hundred and ninety men earned \$4,887 22; in the chain-shops ninety-nine men earned \$1,938 68; in the broom-shops one hundred and sixteen men earned \$2,104 84; in the cigar-shops sixty-one men earned \$679 58; in the tin-shop fourteen men earned \$144 64; on the new building fifty-seven men earned \$1,883 26; on general work about the prison, three men earned \$50 00. Making a total for the two years, of \$26,080 13, all of which has been placed to the credit of the prisoners. All this iron work which was done on the building, and the placing it in position, was done by the prisoners; it did not cost the State one penny.

By Chairman McCrum:

Q. How do you fix the tasks for these men?

A. The tasks are a curious thing to arrange. We can't tell immediately, and have to wait a little while and compare the work that is done by a moderate man, and a swift man, and a slow man, and take the average of three or four weeks. As a rule our tasks are on the basis of about six and one half hours for a moderate man.

Q. Complaint is made by some that they are overtaxed.

A. It will sometimes happen that a very, very slow man will find difficulty in getting through; in such a case as that he is either let off with a little less, or he is changed to some other portion of the work. There are quite a number of men that can never come up to the task; those are

changed to another part where the work does not require so much skill, or else they are changed to another industry.

Q. Complaints have been made that men are frequently punished for not finishing their tasks.

A. If a man has, for many days, finished his task and done it well, and then get reckless and careless, he is sometimes punished.

Q. The complaint is also made that they are compelled to work when they are on the sick-list.

A. I don't think that is so. If a man looks pale and shows all the indications of sickness he is not required to work. But if a man comes out and sees that the work is a little rougher than usual, and that he does not want to do it, and says, "I am sick," he is then told to sit down and wait until the doctor passes upon his case. If the doctor gives as his opinion that the man is not sick, although he says he is sick, he must do his task. We use our common-sense in this matter.

Q. A man was pointed out to me when I was here the first time—he was at work in the broom-shop—who, it was stated, was dying by inches, and who was compelled to stand up there and work—a colored man.

A. Are you not mistaken—was it not in the shoe-shop?

Q. I believe he may be.

A. That man would not go out of the shop. I noticed that myself, and directed him into the hospital. He is there to-day, and going to be operated upon for fistula. That man told me he didn't want to go to the hospital. It is a peculiar fact that colored man didn't want to go to the hospital; they hardly ever go willingly—almost always must be forced there.

Q. If the contractor got in a hurry, and had an immense amount of work to be completed within a certain time, would he not be liable to insist that men who are not able to work should work?

A. It would make no difference if he did—they would not be allowed to.

Q. How often does the doctor visit the wards?

A. Some days he is here two or three times—others only once. Some days he will send and ask if we want him—other days we may meet him and tell him he is not needed that day. We exercise a little common-sense in regard to that.

Q. But if a prisoner is taken suddenly sick?

A. If a prisoner is sick, not well, we go or send for the doctor. If he is not within reach, I or somebody go and see him, and give him something for his trouble. Last night, for instance, the doctor was four miles away. I telephoned for him, and he came right down. He lives just across the street there, and is very convenient.

Q. You testified this morning that the surplus or difference between the \$35,000 that you needed and asked for in your appropriation for the payment of salaries and the \$46,000 it did cost, is taken out of the earnings of the prisoners.

A. Yes, sir.

Q. That is, from the contract work?

A. Yes, sir.

Q. That is set forth in your statement?

A. It is, every year.

By Senator Hart:

Q. What amount per week do you charge the respective counties for the keeping of the prisoners?

A. We take the entire gross expense and charge it all up, and take the gross credits, and find the number of days of maintenance, and then we divide it into the deficiencies, and see what that comes to. There is no

fixed charge—just whatever the actual figure is. It has been as low as four cents a day; from that six, eight, and so on up; it varies. One thing is very clear—we are just as anxious to be free from charging as possible. As a matter of fact, we do not charge anything if we can help it. We have one building that I do not think we have charged anything for five years.

Q. Who are the contractors for the manufacture of brooms?

A. Lang & Shepard.

By Major Walker :

Q. Have you an agreement with the Pittsburgh Tin Work Company, Limited, of the city of Pittsburgh?

A. Yes, sir.

Q. What is it for?

A. For the labor of thirty men, and for the manufacture of tinware.

Q. Do you remember the date of the contract?

A. I think their contract commenced the first of February, 1883.

Q. For what length of time?

A. I think our present contracts, with the exception of one, are for three years from the date of commencement.

Q. Are you limited in any way by the act of Assembly as to the time that you can make a contract?

A. Not that I know of; there is no limit, so far as I know.

Q. You could make it, then, for an indefinite length of time?

A. I suppose we could, but I don't think . . . contract which was made for three years and four months, which was made for convenience of time; I don't think we have made any for over three years.

Q. To the best of your knowledge is there an act of Assembly which allows the making of a contract the way this is made?

A. The act of Assembly of 1869 provides that the board of inspectors may associate any portion of the convicts in the penitentiary for work, labor, or religious instruction; that was reported to the Legislature as being the authority of law for contract labor. In 1877 the legislative committee met here and remained a long while, and the same question was asked by Senators Hare, and Schell, and others, and the answer was made that it was under the authority of that act of the Legislature.

Q. As I understand, that is the only authority you have?

A. I have never found any other authority except that, and that we allude to in our reports as being authority for the same.

Q. The contract with the Pittsburgh Tin Ware Company, Limited, is for thirty prisoners?

A. Yes, sir.

Q. What length of time daily do you contract to let the labor of the prisoners?

A. I think it is stated in the paper you have, in the winter so many hours, in the summer so many hours per diem; I think the maximum is ten hours, eight and a half in winter and ten in summer.

Q. Are these prisoners ever used in any other work except that belonging to the Pittsburgh Tin Ware Company, and other duties?

A. No, sir; the thirty prisoners, after they come in, may do some light chores in the way of exercise, carrying water, but it is purely a voluntary matter; they requested it as a privilege.

Q. Are there any contracts where the prisoners are employed to do work for one firm and then taken from that employment and put on another?

A. No, sir; with one exception, and that is between two parties I have spoken of. There are two contracts, one being to Lang & Shepard for

brooms, and the other to the Union Cigar Company. These two contractors are substantially the same, and if the one trade would not have work enough to keep its men busy, they might in that event take the men from one contract and put them on the other.

Q. The Union Cigar Company and Lang & Shepard are substantially the same?

A. Substantially the same. There may be some one who has a slight connection with it, that I am not aware of.

Q. Is the Union Cigar Company an incorporated company?

A. I think it is not. I think it is simply a trade name; I think the contract is with Lang & Shepard, and that the name "Union Cigar Company" is just a trade name; they are substantially the same.

Q. They are really the same?

A. Really the same, I suppose.

Q. Then in a case similar to what you have mentioned they would be transferred?

A. Yes, sir; if one shop was busy and the other was not, they might take the surplus labor into the other, and by that means we would get the full work in both shops.

Q. How often do you require payment for work done?

A. Every thirty days. We settle in the first ten days of every month.

Q. Do you deliver your goods before payment, and if so, how long before payment —

B. We don't furnish any goods at all——

Q. I mean do you permit the goods to be taken away before the labor is paid for?

A. Oh, yes; they take the goods away from day to day, so far as that is concerned.

Q. What amount in money value do you think would be taken away before the labor is paid for?

A. Oh, well, thirty days' labor; it might possibly be forty days before it is paid, but every concern has valuable machinery in the penitentiary, and also a very large stock which they could not take away, and besides every one has a bond attached to the contract guaranteeing the payment.

Q. I desire to ask you this for your own benefit. Whether the employes employed by the contractors—the contractors bring some parties here, whether or not they are subject to the rules of the institution as laid down by the newspapers?

A. Yes, sir; and it is so set forth in every contract.

Q. Warden, in the tin-ware room, wherever that may be, is there any machinery for the manufacture of tin ware?

A. Yes, sir.

Q. Who owns that machinery?

A. The contractor.

Q. Who furnishes the power?

A. We furnish the power to that machinery. At Riverside we own one large engine, which furnishes the power for all places.

Q. You furnish the power for running the machines?

A. Yes, sir.

Q. Do you exact from the contractors any remuneration for the steam power furnished?

A. Yes, sir.

Q. Is it the same with the gas?

A. Yes, sir; all gas consumed by any contractor is paid for at the rate of one dollar per thousand feet; we make our own gas.

Q. Have you any mode of ascertaining what the gas costs you?

A. Our gas costs us, taking the present rate of coal and adding the labor to it, about twenty-four and three fourths cents a thousand feet.

Q. How do you arrive at those figures?

A. I have gone over the figures again and again, and we have a very excellent engineer who is an expert on such things.

Q. Do you count in the labor of the convicts?

A. At the price their work is worth, per diem fifty cents.

Q. With every contract is there a bond connected with it?

A. I think on the last page there is a bond.

Q. I observe, Warden, on this, that there is a bond, but you will observe it is not signed.

A. Yes, sir; I believe it is not signed. I believe the clerk neglected to get it signed. I think I told him the other day he ought to go back and get it signed.

Q. There is a contract of the Pittsburgh Tinware Company, (Limited.) Do you know who the company is?

A. This is signed by Lewis Irwin, president of the Tinware Company.

Q. Is it an incorporated company?

A. A limited company, under the limited law.

Q. Do you know who the members are?

A. Not altogether. I think there are five of them.

Q. Are any managers, inspectors, or employes of the Western Penitentiary connected in any way with this company?

A. To the best of my knowledge and belief, and I think I know pretty closely, not one, in any way or form.

Q. There are a variety of contracts here. Are there any managers, inspectors, or employes, of whatsoever nature, connected with the penitentiary; connected either as a stockholder, owner, or otherwise, in any way, with any of these contracts?

A. I have no knowledge of any person, either as manager, inspector, or employe, or officer connected with the penitentiary, being in any manner connected with any of these contracts.

Q. Do you know the contractors and stockholders of these different contracts—who they are?

A. I think I have explained fully who they are.

T. H. NEVIN, Esq., a witness who appeared before the committee and being duly sworn, testified as follows:

By Senator Hart:

Q. In what relation do you stand to the penitentiary, officially?

A. I am president of the board of inspectors.

Q. How long have you filled that position?

A. I have been a member of the board of inspectors since the early part of 1864, and have been the president of it since about 1867.

Q. How often are your meetings held?

A. We meet every Saturday morning.

Q. How are the contracts for supplies let?

A. The contracts for supplies are let by advertisement for meat, and the coal, and the slack. The ordinary supplies, flour, &c., things of that sort, we simply go into the market and purchase them. We have a committee to attend to that, with the warden—the making of the warden—just as we get the articles.

Q. How are those contracts for supplies let—I mean with reference to the bid—I merely wish to know whether it is let to the lowest bidder?

A. Oh, yes.

By Major Walker :

Q. By advertisement ?

A. Yes, sir ; certainly.

By Mr. Hart :

Q. Is that rule always adhered to ?

A. Yes, sir ; except, probably, in one instance. Some years ago we had a contract for meat that was not at all satisfactory, and we withdrew it from the man, and gave it to another party at about the same price.

By Major Walker :

Q. What the Senator desires to know is, whether the contracts advertised are always let to the lowest bidder, and always let in that way ?

A. Undoubtedly. The last contract for meat, I may say, was awarded to parties who slaughter the meat in Chicago, because we obtained a price on much more favorable terms.

By Mr. Hart :

Q. By what rules have the contracts for the erection and construction of the Riverside Penitentiary been let ?

A. In every instance by a thorough system of advertising, getting in the bids, and always to the lowest bidder.

Q. Has the work, as progressed, been under the immediate supervision of the inspectors of the penitentiary ?

A. Yes, sir. We have, in the erection of the building, the matter first of all under the charge of an architect ; and besides, we have employed a competent mechanic, who spends his whole time in watching each part of the work as it progresses—a competent builder, I mean, who stood there from day to day watching every part of this work as it went up ; and the inspectors are in the habit of visiting there once or twice a week.

Q. Have you, as the work progressed, compared the work with the specifications ?

A. Yes, sir ; through the architect. We are doing that all the time, you may say. The contract requires the contractor and the inspectors, in case of difficulty, to submit the question of the character of the work to the architect, and his decision is final.

Q. Under authority from the board ?

A. Under the authority of the board.

Q. Of inspectors ?

A. Yes, sir.

Q. Something was said here in reference to money having been advanced for the purpose of continuing the work on this new building. What knowledge have you in reference to that ?

A. I don't exactly get your idea.

Q. Why something has been said here in reference to money having been advanced by the inspectors or some one else connected with the board.

A. Well, sir, I think it was in 1879 we got one of our appropriations, and it was on the strength of the appropriations large contracts were given out, and for a year or more we could not get a dollar out of the State treasury. At that time the inspectors gave their individual obligations to raise money, in all amounting, probably, to \$100,000, to meet the demand made on us by the contractors. The money, of course, after a while came from the State.

Q. Then it was really advanced by the board ?

A. Yes, sir.

Q. Until you could receive the amount that had been appropriated—from the State?

A. Yes, sir; that has been done, too, with the knowledge of the State officers; and I may say here, incidentally, while we had to borrow that money and pay six per cent. interest for it, that the State refused to return that interest—rather, the Legislature granted it, but Governor Hoyt vetoed it—to the extent of \$9,000.

By Major Walker:

Q. Did you ever have occasion, at any other time, to do the same thing?

A. Yes, sir; we have had occasion recently to give out two notes—our own paper—we know it is not legal to give State paper, we knew that very well; but we also knew we were dealing with honest men. And in order to pay the demands up to that date, at the close of the year we gave a note for \$30,000, and another for \$20,000. That is out yet but it is not a note of the State; this note is by individuals.

Q. You ask a part of it to cover that?

A. Yes, sir.

By Mr. Hart:

Q. In other words, the board has granted their credit for that amount?

A. Yes, sir.

By Mr. McNeill:

Q. That money is supposed to be in the treasury?

A. Well, hardly; we have about \$35,000 to receive from the State Treasury. That amount we owe to the contractor whose work is done.

Q. Beside the borrowed money?

A. Beside the borrowed money.

Q. I understood from Warden Wright you did not anticipate anything over your appropriation, that you had enough in the State treasury to pay your debts?

A. Well, this money was applied, a part of it, to the building of that wall, and that is what we want to get back now.

By Major Walker:

Q. Where a specific amount is granted by the legislature for a specific purpose, a particular purpose, do you have the right to exercise the right as you understand it, to divert a portion of that, say for instance, from the building to the wall, or from the wall to the building?

A. As I understand the act, part of the money to us—it is given to us for the purpose of putting up a building—we considered the walls to be absolutely necessary, as much as the building itself.

Q. Does not the act specify so much for the walls, and so much for the building?

A. We have acted as inspectors precisely on the principle as if we were doing this work for ourselves. We knew we were putting in there a large sum of money in the erection of this house, and we knew it would relieve the penitentiary of an obligation amounting to \$12,000 or \$15,000, in the employment of officers if we could only get down there. We knew at the time if we postponed the building of that wall, it would delay the occupancy of that building, probably one or two years, and we felt that it was improper, and unbusinesslike, and foolish, for us to allow the walls not to be built, consequently leaving the property in a condition that it could not be used, and keeping up our double expense all the time. And therefore we felt perfectly safe in appropriating part of the amount that was appropriated for the purpose of building, to the erection of this wall—we took that responsibility.

Q. In the bill that is pending you ask so much for the wall?

A. Yes, sir; that is what we want now.

By Mr. Hart :

Q. We are enjoined to inquire what further appropriation, if any, is necessary for the completion of this new penitentiary, and the probable amount needed to complete the buildings, walls, &c.?

A. It was explained to the gentleman down at Riverside the other day that we started out with a matured plan, just twice the size we are putting up; but we have stated to the Legislature in our reports, a great many times, that we do not expect to go beyond the central or rotunda building until the criminal population of the State increases so much that we must have an increased number of cells. That is the appropriation we are asking for now, it will complete the work on hand; I don't think there is a gentleman living of this board, or the gentlemen of the committee here, that will hear of us asking more for another building for cells.

Q. Is there any further appropriation needed at this time for the completion of the building as far as you contemplated the completion of it?

A. I answer most hesitatingly, yes, all we have done thus far is not of much account to us unless we would get the rotunda building up.

Q. How much according to your judgment is necessary for that purpose?

A. We have asked for \$150,000 to complete the central building, and we have asked \$50,000 for shops, \$65,000 for walls, and \$10,000 for a battery of boilers and \$5,000 for boiler-house, making \$280,000. We have made these estimates as carefully as we could, of the amount that would be actually required to complete these different parts of it, and so present our request to the Legislature.

By Major Walker :

Q. Do you contemplate in the construction of the wall for which you ask \$65,000 to take down this wall?

A. We expect to, I don't know whether we can.

Q. You are asking now for an appropriation of \$65,000 specially for the wall?

A. Yes, sir.

Q. How much of the wall do you propose building?

A. We shall have to—if we don't inclose the whole ground—we shall certainly have to increase the height of the south wall—the present wall.

Q. That would not require \$65,000?

A. No; but we want to pay what we have already expended in building the large wall.

Q. That is what it is for?

A. Yes, sir.

Q. The balance of the \$65,000, after taking the \$35,000 and paying your indebtedness, is to go toward the completion of the walls without utilizing the stone here at all?

A. No, our intention is to utilize the stone very largely. The trouble is we cannot take away these walls until we get the new prison ready—until we remove our men. Then we shall take the walls down.

Q. Then, in this \$65,000, it is not contemplated to take part of this wall down and work it in?

A. No, sir; not at present.

By Chairman McCrum :

Q. Who is the architect that you employ?

A. Edward N. Butz.

Q. How is he paid?

A. We pay him \$8,000 for all the work that he has done and all that he is to do toward the completion of this present work.

Q. He is not paid a percentage on the contract price, but he is paid a stated sum?

A. A stated sum.

Q. That includes all his services?

A. Yes, sir; and it includes a great deal—includes the superintendency of this whole business, and he has done so for two or three years.

Q. Does Mr. Butz devote his time to it?

A. Most assuredly, and to our entire satisfaction.

Q. To the entire satisfaction of the board?

A. Yes, sir; entirely so.

Q. It has been asserted to the committee, and it is necessary for the good of the board, I think, that it should come out—is there any officer, employé, or any man in any manner connected with the management of the institution, interested in any of the contracts for the furnishing of supplies or labor to the Riverside Penitentiary?

A. Well, I am very confident that there is not. Not a single man that I know of has any interest in any contract, or ever has had.

By Major Walker:

Q. Has the architect any?

A. No, sir; he has not. I don't think he has a particle of interest.

Q. Do the inspectors receive any pay?

A. Not a dime, sir. I give about half my time, and I don't receive a dollar.

By Chairman McCrum:

Q. Are any officers, or employés, or any one connected with the management of these institutions, interested in any manner in any of the contracts?

A. No, sir.

Q. That is, I mean inside—the convict labor?

A. No, sir; there is not a person connected with the penitentiary has any interest whatever, so far as I know of, and I think I do. I am sure I do know.

Q. You are in a position to know?

A. Yes, sir; and there is not a soul.

GEORGE A. KELLEY, a witness who appeared before the committee, and who being duly sworn, testified as follows:

Examination by Senator Hart:

Q. What official relation do you now, or have you heretofore, sustained to the Western Penitentiary?

A. I have been a member of the board of inspectors, I believe for nearly eleven years, until within two months, probably, and the treasurer.

Q. How long were you treasurer?

A. Probably five or six years; I am not certain in regard to it.

Q. Have you been the treasurer continuously since '78 until recently, since the construction of this new penitentiary?

A. Yes, sir; I have.

Q. What were your duties as treasurer?

A. My duties as treasurer were to receive the moneys from the State, and to examine the accounts, and see that receipts were obtained for all expenditures.

Q. Did you not also pay out the moneys drawn on the treasurer?

A. The warrants are drawn by the secretary. Yes, sir; I paid them

out as treasurer. They were drawn on my account as treasurer, in the bank, and the same as a check.

By Major Walker :

Q. Whom were they drawn by ?

A. By the president and secretary on the treasurer, and countersigned by the warden.

By Mr. McNeill :

Q. Did you receive the moneys ? Did all moneys that were used in the new penitentiary pass through your hands ?

A. Yes, sir.

By Mr. Hart :

Q. Both from the State and counties ?

A. Not from the counties ; they came in from the counties to the warden, and were deposited to the credit of the treasurer in the bank.

Q. They came into your own hands through the warden ?

A. Yes, sir ; in that way.

By Mr. McNeill :

Q. Do you know whether there has been any money paid out without passing through your hands ? Did all pass through your hands on warrants regularly drawn ?

A. All moneys paid out are paid out by warrants, with the exception of some few items that is paid out by the warden, gratuities given to the prisoners in small amounts. All moneys received in the institution were obliged, by my order, to be deposited to the credit of the institution, no matter how small the amount was, all money received from every source, so that the debit side of the cash book would agree with the treasurer's account whenever I audited the books.

By Major Walker :

Q. The issuing of these warrants by the president, and countersigned by the secretary, was that always done by a vote of the board of inspectors ; did they authorize the president to do that ?

A. All warrants drawn were authorized by the board.

Q. Then the president drew them and the secretary countersigned them ?

A. They were drawn by the president and secretary, and countersigned by the warden.

Q. Prior to that did the board authorize these officers to execute those warrants ?

A. Yes, sir.

By Mr. Hart :

Q. How often were your accounts audited ?

A. Every month ; that was the regular time. But sometimes it wasn't convenient, and it would run two months or more, but generally every month previous to the meeting of the board.

Q. By whom were your accounts audited ? By the board of inspectors, or by whom ?

A. I don't know that my accounts were audited —

By Mr. McNeill :

Q. Your accounts, as I understand, had to correspond with the cash as kept in the bank ?

A. Yes, sir ; they proved themselves. Occasionally I could get a member of the board to go over these accounts with me. You sec, when I came to examine the expenditures for the month, I compelled the receipts to be produced for every expenditure, with the exception of such things as car tickets, and sometimes some little things that were required, but for

which a receipt could not be obtained; but even so far as postage stamps were concerned I had a receipt for them.

Q. Then you required, in addition to the warrants you received from the president and secretary, countersigned by the warden, a voucher from the persons to whom it was paid, as I understand you?

A. For everything; yes, sir.

Q. When did that come into your possession? At the same time the warrant did, that voucher?

A. Those vouchers were produced to me at the time of the examination by the book-keeper and clerk.

Q. Then the vouchers were kept by the clerk, and the warrants were kept by you for your vouchers for money you paid out?

A. Yes, sir; the warrants were kept by the bank until the bank books were settled. These warrants were received as checks in the bank upon my account.

Q. The same as those drawn upon your own account?

A. Yes, sir.

Q. And subsequently, as I understand you, you compared those checks with the vouchers in the possession of the clerks?

A. Yes, sir.

Q. How often was that done?

A. The examination of these accounts?

Q. Yes, sir.

A. The time arranged was once a month. Sometimes I was absent, and it has run as long as two months at a time, probably a little more, but those were exceptional cases.

Q. Was this comparison made, or examination, by you in the presence of the board of inspectors?

A. No, sir; that we didn't consider necessary; I examined every receipt myself; the receipts all bear my initial K.

By Major Walker:

Q. Mr. Kelley, did you receive as much compensation for your services as the president did?

A. Just the same, sir, exactly; I think we received all the same salary.

Q. In other words you received nothing?

A. Nothing; positively nothing, and I assure you it was no child's play keeping the run of those accounts here; I have spent many a night here, until ten and eleven o'clock, just examining those accounts.

By Mr. McCrum:

Q. You resigned as a member of the board?

A. Yes, sir.

Q. Are you not at present treasurer of the board?

A. I am not connected with the board in any way.

Q. Nor have been for the last two months?

A. I have forgotten just the date my resignation was handed in, but since the day it was, I have had nothing to do with the prison.

On motion of Major Walker, adjourned to meet at ten o'clock, Friday morning, March 23, A. D. 1883.

And now, to wit: Friday, March 23, A. D. 1883, committee met pursuant to last adjournment, at the Western Penitentiary, in Allegheny City.

Present: J. J. McCrum, Esq., chairman, Senators McNeill and Hart,

and Representatives Graham and Walker, and witnesses, and the taking of testimony proceeds.

T. H. NEVIN, a witness who appeared before the committee, recalled, testified as follows :

Examination by Major Walker :

Q. Mr. Nevin, the property that the new penitentiary is built on at Riverside is the property of the State, as I understand it ?

A. Yes, sir.

Q. How many acres are there in the property ?

A. I think there is about twelve acres, all told.

Q. Being the property where the old House of Refuge formerly stood ?

A. Yes, sir.

Q. Has there been any additions to the property since it was abandoned as a house of refuge ?

A. Only in this way : The House of Refuge, while on that property, sold out a good many lots ; they laid out a portion of their property in city lots.

Q. The House of Refuge did ?

A. Yes, sir.

Q. Did they own the property at that time ?

A. Yes, sir. They laid out a good many lots, and many improvements were made on the grounds, but when the idea was suggested of the State purchasing that property to remove the penitentiary, we immediately made an arrangement for the State to buy back these lots, and we did buy them back, so now the State owns the whole ground, as it originally stood.

Q. Does the State own any other property adjacent to it and connected with it ?

A. No, sir.

Q. Are there any streets that run through it, that have, by legislation, been abandoned ?

A. Yes, sir.

Q. What is the object of that ?

A. So that we can make an uninterrupted piece of property by extending our wall around the whole. We don't want streets through it.

Q. Has there been more than one street ?

A. Yes, sir ; two. Grace street and Kerr street, and two alleys.

Q. Had those street formerly been abandoned ?

A. Yes, sir ; by resolution of council.

Q. Are they utilized yet as public highways ? Of course, the title is in the city.

A. Why, this great building of ours covers part of the streets.

Q. Are there any streets that the building does not cover ?

A. Yes, sir ; the half of Grace street, and all of Kerr street from the refuge to the river.

Q. It is contemplated, as I understand, to extend the wall from the point where the wall is now built on the north-east, running up to your property on Superior street—is the wall built there ?

A. No, sir.

Q. From the terminus of Refuge and Superior to the river—is that built ?

A. No, sir.

Q. From Superior back again, fronting the river, to Kerr street—is that built ?

A. No, sir.

Q. The wall you have built now is the old wall of the refuge building as

it was when you went there, fronting on Kerr street, except that it has been added to ?

A. Yes, sir.

Q. Mr. Nevin, do you contemplate, in the \$65,000 that you ask for the completion of the walls, to inclose this part [pointing to plan] with the \$65,000 ?

A. No, sir.

Q. Would you be kind enough to state, then, what you desire to do with that \$65,000, so far as the wall is concerned, where you expect that to be utilized ?

A. That appropriation calls for \$65,000 for the purpose of building the walls and gateway and grading the ground, and we expect to restore to the fund the amount it has cost us to put up that new wall that is there, and enlarge the old one out of that fund.

Q. And that, I understand, is \$19,000 ?

A. Thirty-nine thousand dollars.

Q. Then, you are indebted \$39,000 for the wall as it is built to-day ?

A. Yes, sir ; and we owe the contractor——

Q. The balance of difference between the thirty-nine and sixty-five you desire to expend in the erection of a new wall ?

A. So far as it will go to extend the wall.

Q. Whereabouts, Mr. Nevin ?

A. We propose to continue on Refuge street across to Kerr street, and up to Superior.

Q. What I want to know is, the balance of the appropriation between \$39,000 and \$65,000—how far will that carry it, according to the estimate of your architect ?

A. That will depend entirely upon the amount of stone taken from these walls, which I cannot tell.

Q. Have you any estimates ?

A. I have not.

Q. Have you required your architect to make any estimate ?

A. No, sir.

Q. How do you arrive at the estimate of \$65,000 ?

A. I know that amount will be a good deal under what we will require.

Q. Would it be sufficient to take it up to Superior street ?

A. I think it would.

Q. In extending the walls from Kerr street to Superior, with the balance of the \$65,000, is it the intention of the board of inspectors to utilize any portion of the stone upon the present premises here ?

A. Yes, sir ; certainly they do.

Q. Do you intend, Mr. Nevin, to extend the wall from Kerr street to Superior street before the prisoners are removed down there ?

A. No, sir.

Q. You don't propose to utilize any of the stone until the prisoners are all taken down there ?

A. No, sir.

Q. Have you made any calculations of any kind, or has your architect presented any plans by which the stones from the present building here can be conveyed down to Riverside ?

A. We have considered the matter. One idea was to lay a railroad track, getting the use of the passenger road, and making a connection to them here and down below, and take them down that way, and we think we can haul it by wagon cheaper than any other way.

Q. If you saw proper to lay a railway track from the junction of the Fort Wayne road to the building here, how would you reach the building?

A. We would have to come across the commons, getting permission from the city.

Q. Do you intend to lay tracks across the commons?

A. Yes, sir.

Q. Would that be practicable?

A. I think we would have a great deal of trouble from Allegheny City to start with.

Q. And, secondly, would the grade be such that you could do so?

A. Yes, sir; the grade would be such.

Q. If you concluded finally to lay your tracks to the building, and to tear down the wall, and load your stone upon the cars, what facilities have you for taking it upon the ground at Riverside?

A. We have none except laying an additional track there.

Q. Where could you lay that track there?

A. I suppose if we should make the arrangement at all, it would not be with the Fort Wayne road; it would be with the passenger road.

Q. How could you get the stone upon the Pittsburgh and Western road—could it be done?

A. I don't think it could.

Q. Then conveying the stone from here to Riverside, it would have to come on the Fort Wayne road?

A. I mean the passenger road; a street-car road.

Q. Then, when you speak of running a track from the railroad to the penitentiary walls up here, you mean the street railway?

A. I do; any one can see why, that it will be a very easy matter to run the track up this street here, and along our wall. It is just on a grade, too.

Q. Is it practicable to lay a steam track here, and connect with the steam railways?

A. Oh, it would be practicable if we get permission from the road itself, and from the City of Allegheny, both.

Q. Could it be done with any degree of economy?

A. I don't believe it could; it would be too expensive, I think.

Q. Your idea is that if it is done by rail, to have it done by the street railway?

A. Yes, sir.

Q. It is within two blocks of the building?

A. Yes, sir.

Q. Have you made any estimate of the cost of hauling by wagons from here down direct, and that of doing the same by the street railway?

A. My impression is that it will be cheaper to haul this stone by wagon, for this reason, that we could mark the stones and put them right on the wagon, and when arrived down there, lift them right on to the wall, which would certainly save one handling, and in winter time when labor is scarce we can procure it cheaply.

Q. As I understand, you have made no estimate of the cost at all?

A. No, sir. You asked me in reference to the number of acres, I said about twelve; I see by the plan that I was mistaken, it is put down as sixteen acres.

Q. Mr. Nevin, another thing I desire to know, is this [pointing] the distance from the foundation of the building facing the river, from there [pointing] to the river, the average distance? I see it runs obliquely.

A. The distance from the building to high water line is 250 feet. This

is taken from the commissioner's plan, the high water commissioner's, the Government commissioner's.

Q. Which point is that?

A. At the center.

Q. At the north end—what would be the distance there?

A. Three hundred and twenty-eight feet.

Q. What would be the distance at the south end?

A. At the south end it would be 125 feet.

Q. Mr. Nevin, is the property in front of the penitentiary, or any portion of it, in use to-day?

A. No, sir.

Q. Has it been laid out in lots?

A. No, sir; it is all unoccupied.

Q. All unoccupied all the way through?

A. Yes, sir.

Q. For what purpose, Mr. Nevin, do you contemplate using the vacant ground fronting the property; this property in here, [pointing?]

A. We expect to make a lawn of it.

Q. It is not to be utilized for shops or anything of that kind—store rooms?

A. Oh, no, sir; in the repurchase of these lots that were sold, we got four or five houses; they are standing yet, in the upper part of that front ground; they are worth something, and we have rented them out for the present.

Q. Then this entire frontage here is to be beautified? That is the contemplation of the inspectors?

A. Yes, sir.

Q. The wall from Superior street would extend clear to the river?

A. No, sir.

Q. How far would the wall come on Superior street?

A. On Superior street it would come down to the line parallel with the great building.

Q. On the other side, on Wilkins street, how far will the wall come there?

A. That is already built along Wilkins street.

Q. Down as far as, [pointing.]

A. From the building there, [pointing.]

Q. In coming down Superior street, or coming down Wilkins street, the property in front would be open for the public as a lawn?

A. Yes, sir. When I say open to the public, it is such as this here in front of the present penitentiary.

Q. Then do you purpose having a fence of any kind?

A. We might put up a light fence there; from there to the river, [pointing.]

Q. The same way on Wilkins street?

A. Yes, sir; about such as it is in front of this building.

Q. Mr. Nevin, is there, or is there not, a steam railway running down here? [pointing.]

A. Yes, sir; the Pittsburgh and Western.

Q. Then how can you build a fence down there, and cut them off?

A. Because their road is out right on the beach, beyond the bank altogether.

Q. Is the portion of the roadway that the Pittsburgh and Western occupy to-day, a part of the property of the State?

A. Yes, sir.

Q. Then you could not enclose the whole property?

A. There is nothing but an old beach outside of that, [pointing.]

Q. Still it is the property of the State?

A. Yes, sir.

Q. Then, of course, in extending your fence down there, you would extend it as far as the tracks of the railway?

A. Yes, sir.

Q. Mr. Nevin, has the Pittsburgh and Western railroad, in constructing its road through the property of the State, received any permission from the State to do so?

A. Yes, sir.

Q. Just state what permission they have from the State to construct their road through there.

A. The inspectors, or a majority of them, granted this privilege to them; a minority of the board opposed it. The matter was then submitted to the Attorney General of the State, and, so far as I know, he has acquiesced in the—

Q. Mr. Nevin, would you not know, as president of the board of inspectors, what finally has been done in the matter?

A. Yes, sir; we have the record.

Q. Have you on record an opinion of the Attorney General authorizing the construction of the Pittsburgh and Western railroad through the property of the State?

A. Yes, sir; we have. Acquiescing in that—I say the matter was referred to the Attorney General, and then we felt that it was out of our hands. It became then a question between the Attorney General and the attorney employed by the board, Mr. Burgwin. The matter was taken into court, I believe, and an injunction applied for—at least a temporary injunction placed upon their going through. It was simply a question of requiring a bond.

Q. Was that injunction dissolved?

A. I don't know.

Q. Is the injunction still in existence?

A. I am not prepared to say—I don't know.

Q. Was it an injunction to prevent them from extending their tracks upon the property of the State?

A. No.

Q. What was it?

A. Simply an injunction requiring them to give a bond of indemnity to indemnify the State for any damages in going there.

Q. You were enjoining them from doing something—did they contemplate doing something—what is it you were enjoining them for?

A. These proceedings were not taken until the road was built. They are not using the track yet. It is not finished.

Q. Did they construct the track upon the property of the State without the permission of the board of inspectors?

A. No, sir.

Q. Did the board ever give them permission to construct their track there?

A. I think they did, so far as they could; that is on record.

Q. If you granted them permission to construct their road through the property of the State, what was the injunction for?

A. The injunction was really not the action of the board; it was done in courtesy to the minority of the board?

Q. The board did it?

A. We acquiesced in it.

Q. Was it done officially?

A. Yes, sir.

Q. Then it was done by a majority of the board?

A. Yes, sir.

Q. What did you ask for in your injunction?

A. I don't know. I wasn't a party to it at all. I had no interest in it at all. I felt the road was an advantage to us.

Q. Suppose you state to this committee what the difference in the board was.

A. Our board is composed of five persons. Three of the board were in favor of granting this road a right of way across our ground, because we felt then, though we were a State institution, we had no right to stand there in opposition to a great public improvement, especially when that public improvement, in our judgment, did not do us any possible harm; it came so near to the river, and in this last rise the track was submerged, it is so far out. A minority of the board felt that we ought not to grant this privilege.

Q. What was the legal position they took in reference to it?

A. I see Mr. Kelley here now, and he will probably speak, but that was one reason, another great reason in my mind, and those who co-operate with me, was that this road would be a very great advantage to the institution in the matter of bringing supplies, especially in the matter of bringing coal and bringing material for work, and in the various ways carrying backward and forward the material that is used and specially in the matter of coal, and that is going to be a very great advantage in that respect.

Q. That was the opinion of the majority?

A. Yes, sir.

Q. What were the objections raised by the majority?

A. I would rather you would ask Mr. Kelley.

Q. We would like to hear from you also?

A. Well, so far as I recollect, the objection was that it was intrenching upon our ground, curtailing the access to the river from the building.

Q. Mr. Nevin, do we understand that you are not prepared now to answer what the injunction was for—for which you applied?

A. I am not.

Q. In what way could we get that information?

A. I suppose Mr. Kelley can give it to you; I presume he can. I want simply to say that when this question came up and there was a difference we referred this matter to a committee to have the whole control of it.

Q. What committee?

A. The committee was composed of Mr. Kelley and Mr. Phillips.

Q. Did they report back to the inspectors?

A. Yes, sir, they reported back. They put it into the hands of an attorney, and the matter was taken into court. I didn't really take much interest in the matter, I never was present at any of the meetings in court.

Q. You don't know what the injunction was for?

A. No, I don't.

Q. You have on record the official action of the entire board of inspectors granting the Pittsburgh and Western road the right of way through your property?

A. That is on record.

Q. Was the right of way given to the Pittsburgh and Western road prior to the application for the injunction?

A. Oh, yes.

Q. The road was built down there in front of your property before the injunction was asked for?

A. I think the tressel work was up.

Q. They had acquired the right of way?

A. They have acquired the right of way. They haven't done much more than that, put up the tressel work.

Q. Does the road run from there down the river beyond the penitentiary?

A. Yes, sir; below Oliver & Bro's mill.

Q. Is it a spur track, or part of the main line?

A. It is a continuation—a portion of the main line.

Q. Mr. Nevin, when do you contemplate tearing down the walls around here?

A. When?

Q. Yes, sir.

A. That depends a great deal upon the action of the Legislature. If they don't give us the money, not for a good many years yet; if they give it to us we expect to get away this summer.

Q. A part of it is to take them away?

A. A part of it is to put them in condition to take us to Riverside.

Q. Where will you get the money for tearing down the walls and transporting this stone to Riverside?

A. We will have to ask the Legislature for an additional appropriation to take the walls down.

Q. You think, perhaps, it will be until 1884 before you tear the walls down?

A. Oh, yes, it will be that long.

By Mr. Graham:

Q. Would it not be more profitable to sell this material that is on the ground here, convenient for building purposes, to contractors or persons who wish to build, rather than to tear all down and transport it at great expense to Riverside?

A. I would be glad if you will refer that question to Mr. Schreiner. I really don't know.

Q. When this appropriation was asked for to build the walls, that was for the material, whether it was taken out of this wall or anywhere else?

A. Certainly.

Q. Then the material was to be used in the new wall?

A. Yes, sir.

Q. Consequently the appropriation for the building of the new wall included the moving of the material from this place?

A. I suppose so.

By Mr. Hart:

Q. Mr. Nevin, how many feet of wall is now built?

A. At the lower place?

Q. Yes, sir.

A. Four hundred and seventy feet.

Q. Does that include the part of the old wall that was there?

A. No, sir; that is all new.

Q. What was the cost per foot for the construction of that wall?

A. The contract for the new wall was \$34,067.

Q. How many feet did you say it was?

A. Four hundred and seventy.

Q. That would cost, then, about \$72 41 per foot?

A. It averages about \$10 a perch, including the coping.

Q. How many feet of wall is yet required to be constructed in order to complete or to inclose the ground as contemplated?

A. Six hundred and twenty-five feet.

Q. Could not the prisoners be removed from this prison before the center building is completed?

A. Not satisfactorily or safely, for the reason that the end of the present building is open, and simply inclosed by a temporary wooden structure. It would be unsafe to do so.

Q. What do you estimate the value of the iron, stone, and material that is contained in this old penitentiary building?

A. Well, that would simply be a guess. We have no means of getting up any valuation of it. I suppose fifty or sixty thousand dollars. There is some twelve miles of pipe; which would be worth a good deal of money for old iron.

Q. And is there not also a large quantity of iron in all the cells?

A. Yes, sir.

Q. Where did you receive your estimates from, or data, by which you made the estimate for the completion of the central building as \$150,000?

A. From the architect.

Q. Did you receive from the same source an estimate for the work-shops and boiler-house to the sum of \$55,000?

A. Yes, sir.

Q. And also the great walls, the iron grating, the grading of the grounds—you received all that data and estimates from reports made to you by the architect?

A. Yes, sir.

By Major Walker:

Q. What will be the distance, when the penitentiary is constructed in accordance with your plans and specifications—how far will it be from the front part of it to the railroad, on the plans you now propose building on? What I want to know is, the distance from the extreme front facing the river to the railroad track, in the contemplated building, according to your plans and specifications?

A. There is a bend in the river, and whoever completes the next wing, if ever built, will not build in a straight line. It will be necessary not to do it. It will be fifty-two feet at the center.

Q. How much right of way do they get from the property?

A. Thirty-six feet. The railroad track is located from the cell-house a distance of one hundred and fifty feet and seven inches. If you take the original plan, from the outside, the top of the steps and the cell-house wall it is ninety-eight feet, which leaves a distance of fifty-two feet.

Q. Was there any talk with the railroad company with reference to granting the right of way they took through there?

A. No, sir; there never was.

By Mr. McCrum:

Q. Do you expect to get something for the right of way?

A. I don't think we will.

By Major Walker:

Q. In the official letter received from the Attorney General, he authorized the board of inspectors to allow the Pittsburgh and Western railway, if, in your judgment, you deemed it prudent and proper, to have the right of way through their grounds upon the filing of a bond. I want to ask you if that has ever been filed?

A. The board considered this whole matter as in the hands of this committee, so far as the negotiations with the railroad were concerned. I un-

derstand from the railroad authorities that the reason they have not filed a bond is that Mr. Burgwin demanded of them a bond in the amount of \$75,000, which they considered excessive, and that they declined to accede to it.

Q. Is Mr. Burgwin the attorney of the State?

A. Yes, sir.

Q. What action did the board of inspectors take in reference to having a bond filed?

A. The board, as a board, took no action in the matter.

Q. Were you aware of the letter of the Attorney General in reference to it?

A. He simply suggested if, in our judgment, it was necessary; that was the way we understood it.

Q. Does not he say the right of way can be granted through the State's property if they file a bond?

A. I don't remember the wording of the letter.

Q. Did you consider, Mr. Nevin, under the instructions of the Attorney General, that you had a right to give an easement, or right of way through there, without their filing a bond?

A. It seemed to me we had given an easement so far as we had authority, which might be very little, or very much, before that.

Q. Was it not intended by the letter of the Attorney General that they should file a bond?

A. My impression is that our action was before that letter at all.

Q. Then, if you granted a right of way before you got any authority from the Attorney General to do it, by what authority did you give the right of way?

A. We didn't give it except so far as we might have the authority. We didn't suppose we did have much authority about it. It was a matter between them and the State; we said we wasn't going to interpose objections.

Q. Then I understand you that their roadway was built before the Attorney General demanded a bond?

A. The record will show; that is my impression about it.

Q. I read you the letter of the Attorney General, [here letter from the Attorney General, dated ————, was read.]

A. From the wording of the letter the board didn't think they were under any obligations to require one, because we didn't think we were hurt any.

Q. Then why did the board of inspectors instruct their attorney to require a bond?

A. The board never did, unless it was done by the committee.

Q. Had the committee authority to require such a thing to be done? Were they acting for the board?

A. Yes, sir; they were acting for the board.

Q. Do you know whether they ever asked for a bond?

A. I don't know.

Q. You don't know if it has been done?

A. Yes, sir; but I know this road takes thirty-six feet right in front of the building there, near the river, but it don't do us much harm.

By Mr. Graham:

Q. How can these two statements which have been made here be reconciled? We have been assured that the prisoners could be removed to Riverside Penitentiary from this institution in the course of three or four months from the present time. Then we are met with the statement that

the Riverside Penitentiary cannot be safely occupied until the central building is completed.

A. That is very easily reconciled. If the Legislature will give us this appropriation, that we may know that we are to get it now, we will make contracts at once for the putting up of that rotunda. In the meantime we could remove our prisoners there. We have now a temporary barrier, which you saw—a board structure. We could put in additional police force and guard them until this rotunda would be built to inclose the whole thing. If we are not going to get the appropriation for the rotunda, that delays the whole thing; for, of course, we cannot put a force of men in there year after year, watching the prisoners. We can go down there if we have the assurance of the appropriation.

Q. You think it will be a great economy to do so?

A. I am sure of it.

By Mr. McCrum :

Q. If you had this appropriation to-day, or knew you was to have it, you say you could remove there in four months?

A. I have no doubt we could go down in four months.

By Major Walker :

Q. In awarding of contracts, has the work been performed in accordance with the contracts?

A. Yes, sir.

Q. Have there been any additional claims made upon the board of inspectors for alleged losses, or for allegations that more work was done than was specified in the contracts?

A. No, sir.

Q. Is it the contemplation of the board of inspectors to pay any, if there are such claims made?

A. No, sir. I wish to say this—I desire to place the board right before the committee—that while we had disagreed in the matter of the right of way, a majority being in favor of this road and a minority opposed to it, still we acquiesced in the appointment of this committee. All was perfectly satisfactory. We were then notified by Mr. Burgwin that he considered himself the attorney for the State, which was all true, of course, and we felt then we had got out, and that is the reason that you don't see it on the record after the appointment of this committee and the employment of Mr. Burgwin. Then the question was one at issue between the road and the Attorney General. Mr. Burgwin, as I understand it, was the agent of the Attorney General.

By Major Walker :

Q. Didn't you, by an official action of your board at the time, grant the Pittsburgh and Western railroad the right to go on?

A. On the ground of Mr. Palmer's letter, we gave all the authority we had, which we specified very distinctly—it might be little or great—and I wish to say that about December of last year, when this question came up again, I wrote a note to the Attorney General, simply asking him what the status of the thing was and where we stood, and what was likely to be done. He answered my letter as follows. He says: "I have your letter of the 18th, relating to the railroad" (it is dated December 26, 1882,) "going through the grounds of the penitentiary. I supposed that matter was closed. Mr. Shiras, the attorney of the road, as I understand it, sent me a dispatch stating that Mr. Burgwin intended to stir up the suit. I have written him (Mr. Shiras) to report the state of the suit and the necessity of its longer continuance. As I have acted on the judgment of the majority of the inspectors thus far, I shall probably continue to do so." Signed by Henry W. Palmer, and dated at Wilkes-Barre.

GEORGE A. KELLEY, a witness who appeared before the committee, and being recalled, testified as follows :

By Major Walker ;

Q. You have, I see, before you the minutes of the board of inspectors containing the record of the time that yourself and Mr. Phillips were appointed a sub-committee with instructions to report back to the board of inspectors what, in your judgement, would be the best action to be taken in reference to the Pittsburgh and Western railroad company.

A. I have the minutes here.

Q. I wish now, Mr. Kelley, you would refer to the minutes, and just read the action taken by the board of inspectors.

Q. It will probably be necessary for me to explain why this action was taken.

A. Yes, sir ; but just simply preliminary here, read the minute and then I will ask you why the action was taken.

A. I think it is most important for me to state why the action was taken.

Q. Proceed and read the minutes ?

A. A special meeting of the board of inspectors was held this day.

“Present : Messrs. Dean, Phillips, Nevin, and Kelley.

“The president stated that the meeting was called to consider the question of allowing the Pittsburgh and Western railroad company to pass through the prison property at Riverside.

“Mr. Kelley offered the following minute, which was unanimously adopted : We the board of inspectors of the Western State penitentiary, representatives of the Commonwealth, are entrusted with the care, control, and safe-keeping of valuable property and vested interests—among these, by an act of the General Assumbly, approved June 12, 1878, they hold in the name of the Commonwealth all the lands and buildings recently owned and occupied by the Western Pennsylvania Reform School in the ninth ward of the City of Allegheny, for the use and occupancy, exclusively, of the Western State Penitentiary. By authority of the law they are now engaged in the erection of suitable buildings for said prison on the lands aforesaid.

“These buildings will cost over half a million of dollars ; much work has already been done and contracts have been entered into for the speedy completion of all the work it is at present proposed to undertake.

“The location is attractive, and its comparative isolation a positive advantage for prison purposes, while yet sufficiently near by river and railroad to procure materials and supplies. To secure a complete separation, the State has just acquired by purchase all the original lines of the reform school property, and secure vacation of all streets traversing the same, so as to completely guard from all interference and obstruction.

“It is, therefore, a matter of great regret to learn that the Pittsburgh and Western railroad claim have the authority to pass along and occupy the front of the prison grounds, and lay their rails upon the same, greatly impairing the comfort, convenience, and safety of the same, and, as we believe, contrary to the principle and intent of the law, which designates said buildings and grounds to be a constituent part of said penitentiary.

“Therefore, while it is the wish and desire of the inspectors to have no conflict with any one, they feel compelled to notify all parties that no invasion of the property will be permitted, and to prevent the same, they direct that prompt legal measures be taken to guard against such intrusion.

“The board directed that a competent attorney be employed, and that the matter be referred to Messrs. Kelly and Philips, with power to act.”

Q. You may state, for the information of the committee, what led to the introduction of that resolution by yourself.

A. I think about December, 1880, about the date of this minute, the railroad was approaching towards the grounds of the Riverside Penitentiary; learning, as we believed from what we heard, that they were going to run through in the night, the attention of the board was called to the fact; I don't know how near they were, I think up somewhere about Superior Mill, and we went into court and asked for an injunction.

Q. That attention of the board was called to that matter?

A. Yes, sir.

Q. Did they take any action on their attention being called to the fact?

A. The board authorized the action to be taken. I am not positive, and authority to act independently—

Q. You were instructed by the board of inspectors to take such proceedings as, in your judgment, would protect the interests of the State at Riverside?

A. In regard to asking for an injunction, I am not positive whether there was any written action taken; I couldn't tell that without reference to the minutes.

Q. Did this committee, consisting of yourself and Mr. Philips, commence legal proceedings?

A. Yes, sir; we did at this time. I will read the minute previous to the one I have just read:

"December 11, 1880.—A special meeting of the Board of Inspectors was held this morning. Present: Messrs. Nevin, Dean, Kelley, and Philips.

"The board of directors of the Pittsburgh and Western Railroad Company were present by invitation, with their attorney, Major A. M. Brown, to confer with reference to right of way for their road through the grounds of the Riverside prison.

"After an interview, lasting over an hour, the visitors retired; final action on the matter was postponed for the present." * * * *

Q. Was there any action subsequent to this authorizing Mr. Philips and yourself to take proper measures to protect the property of the State at Riverside at any time?

A. The minute I read previous to this one authorizes us to do so.

Q. You had authority by the board of inspectors to take legal proceedings?

A. Yes, sir.

Q. Mr. Kelly, just state whether you did take legal proceedings, and the mode of procedure—what the legal proceedings were.

A. Mr. Hill Burgwin was employed as attorney, and a bill was prepared in legal form asking for an injunction before the court, Judge Stowe presiding.

Q. What was the injunction for?

A. To prevent them from trespassing or invading the ground.

Q. That was prior to their going upon the ground?

A. Prior to their going upon the ground.

Q. Go on and state what was done.

A. The railroad stated that they had no intention of coming upon the ground without permission.

Q. They were served with process?

A. They were served with process. But Judge Stowe stated that was not sufficient, that they must make an affidavit or he would grant an injunction. They came in, if my memory serves me, with an affidavit, to the effect that they did not intend to invade the ground.

Q. Then what was done, Mr. Kelly?

A. The matter was—by the action of the—

Q. Was the injunction dissolved?

A. No, sir; the matter is still open in court, and has never been settled.

Q. Do we understand that the court ordered the Pittsburgh and Western Railroad Company, by an injunction, not to go upon the property of the Western Penitentiary?

A. They didn't grant the injunction, but the court compelled the road to make an affidavit that they would not enter upon the grounds unless by permission.

By Chairman McCrum:

Q. But they have done it?

A. They have done it.

By Major Walker:

Q. Just state what action the railroad took, and what they have done.

A. Our attorney became the attorney for the Commonwealth under the direction of the Attorney General of the State. The Attorney General, as Attorney General, I think instructed him to protect the interests of the State in the matter. There was a want of harmony in the board in regard to what action should be taken, and finally the matter was in a certain way turned over by the Attorney General to the action of the board, as I suppose he didn't desire to decide it. The whole matter is on the minutes there, and by a majority of one, I believe, that is, three to two, the inspectors agreed to permit this road to go through upon certain lines, which were agreed to at the time, and which I, as one of the committee, protested against. And these lines—I don't know what arrangement was made in reference to these lines. However, I do know that the lines that were originally drawn by this company, and in the manner agreed upon by this majority of the board, have not been lived up to.

Q. They are not upon the right of way they asked for?

A. No, sir; not by a considerable.

Q. Mr. Kelly, when they came to the board of inspectors and asked for permission, or an easement through this property, what explanation was made in reference to the affidavit that they had made in court that they did not intend to encroach upon your property?

A. There was no evidence; as you understand, the matter did fall largely upon the action of the Attorney General, and the action of the Attorney General was sometimes one way and sometimes another.

Q. Just explain as lucidly and as clearly as you can, the property that the Pittsburgh & Western Railroad Company have now taken, as compared with the original lines which were shown to inspectors.

A. My impression—is of course, there are those here who can tell better because the draught is here—that there has been an encroachment upon the original lines of some nine feet in the mean distance. The lines are not regular, sometimes wider in some places, and sometimes narrower in others. But in the most important point of the whole grounds, that is, where the building for the warden comes, in the center, this will—if my memory serves me right there has been an encroachment of twenty-four feet which, in my opinion, the architect will tell you—will compel a flattening out of that building.

By Chairman McCrum:

Q. You mean the change in the line?

A. Yes, sir; in my opinion, the architect can tell you. And it will further inconvenience the property in the center; it will, in all probability,

result as I have stated. I judge that from the original plans, but whether that will damage the building or not, I don't know.

By Major Walker :

Q. After the vote of the majority of the board of inspectors, did the Pittsburgh and Western Railroad Company go on and construct their track through the property ?

A. Yes, sir.

Q. Has there been any action taken by the board of inspectors, in reference to the fact that they have not constructed their track upon the line as shown here, [pointing,] have the board of inspectors called the attention of the railroad company to the fact, and insisted that they should go where it was agreed that they should go ?

A. Yes, sir ; I believe there is some action taken. I believe it is on the minutes.

Q. Just state what it was.

A. A resolution was offered before the board, of course for the action of the board, stating that they were satisfied with the lines as now drawn by the railroad—that is, as it is now—and we asked them to agree to no further encroachment upon the property. That, however, was defeated.

Q. And there was a tacit consent of the board of inspectors to allow them to go where they pleased ?

A. Not according to the resolution. The resolution was offered, but was defeated.

Q. Then, by the defeat of that resolution, they were compelled to go where they originally asked for ?

A. The matter stands open, so far as I know, sir.

Q. When you speak about the flattening out of the building, what do we understand by that ?

A. The distance between the front of the building and the line of that road, in my opinion, so far as my memory serves me, will not be sufficient that the original plan can be carried out, and in order to make the building they will have to flatten it out, widen it out in front, diminish its depth, making it shallow.

Q. Then, in a word, Mr. Kelly, the railway company hold possession of the right of way down there by the resolution of this board ?

A. With the consent of the Attorney General. He let them decide it.

Q. The Attorney General submitted it to them ?

A. That is my memory of it.

Q. Your memory is that is the fact ?

A. Yes, sir. There was a minute also which, in justice, ought to be read, and which I now read :

“ WESTERN STATE PENITENTIARY, *October 8, 1881.*

“ A special meeting of the board of inspectors was held this day. Present: Messrs. Dean, Philips, Harbaugh, Nevin, and Kelly:

* * * * *

“ The committee reported relative to the Pittsburgh and Western railroad's intended entrance upon a part of the prison grounds at Riverside, was, upon motion, received and ordered to be entered upon the minutes, as follows :

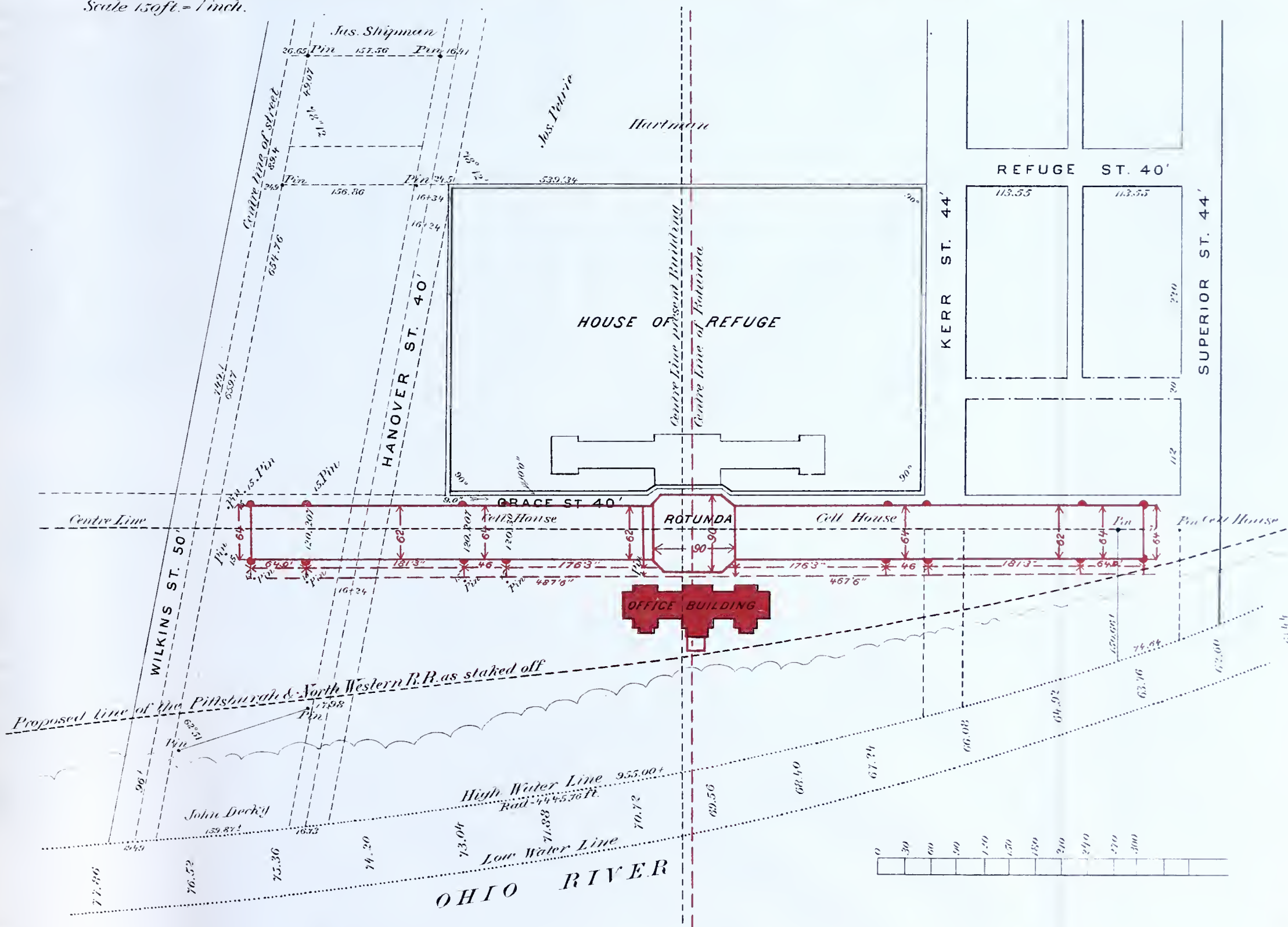
(Copy.)

“ *To the Board of Inspectors of the Western Penitentiary, Allegheny, Pa. :*

“ Your committee appointed December 22, 1880, to take proper legal step to prevent the invasion of the Riverside Penitentiary property by the Pittsburgh and Western railroad, desire to report the progress made, and

Copy of Survey of the Western Penitentiary Property in the 9th ward City of Allegheny Pa.
 High water line staked off according to Commissioners Plan on file in the Prothonotary's Office Pittsburgh Pa.

Scale 150ft. = 1 inch.



their views upon the subject, and desire that they be entered upon the minutes.

"In the matter of the application of the Pittsburgh and Western Railroad Company to construct their road across the Riverside Penitentiary grounds, the committee would state that the said railroad company claim the right to construct their road through these grounds. Considering that this right is extremely doubtful, (to say the least of it,) and that its exercise, upon any location that may be selected, would be of very serious prejudice to the establishment placed in our charge by the State, we have instituted proceedings at law, under authority given us by this board and the Attorney General of the State, to test the right claimed by the company. By the dilatory action of the company in court its determination has not yet been reached, but decision could have been obtained at any time within the last six months had the company desired it, and it may yet be obtained within a very short time if the company will coöperate with us to this end.

"Meanwhile our position is this: The company either have not the legal right they claim; if they have it not we, as mere custodians of this property, cannot give it to them by agreement, nor should we passively stand back and permit it to be done without resistance on our part. If they have the right, it will give us much pleasure in coöperating with them in so locating the line as to do as little damage as possible to the important institution we have under our care.

GEORGE A. KELLY,
ORMSBY PHILIPS,
Committee.

The following preamble and resolutions, offered by Mr. Nevin were then presented and read:

"The board of inspectors held an adjourned meeting at Riverside prison on October 3, 1881; at that meeting were present the president and chief engineer of the Pittsburgh and Western Railroad Company, as also the warden and architect of the institution.

"The railroad officials, by diagrams and surveys, explained the route of the railroad, which they desired to adopt, passing along the river front of the penitentiary grounds. The inspectors also made a personal examination of the same. The mean distance of the track being about 137 feet from the front buildings of the new penitentiary, to wit: 60 feet from the eastern terminus of the State ground on Superior street, 175 feet from the central rotunda building, and 175 feet from the western terminus of the grounds on Wilkins street.

"The following minute, in regard to the location of the Pittsburgh and Western railroad along the river front of the penitentiary grounds, is hereby adopted:

"Representing the State of Pennsylvania in holding the custody of this property, the inspectors recognize the fact that they neither have nor hold any rights of conveyance of any part of said property. It is their bounden duty to protect the same against any unlawful or hurtful trespass, but at the same time they believe that even the Commonwealth may not set up any unreasonable barrier to the prosecution or completion of a great public improvement.

"The objected Pittsburgh and Western railroad in their judgment will be a great public benefit. It has no other feasible route of egress through and out of the city of Allegheny, except the one chosen on and along the bank of the Ohio river.

"Its passage at that prescribed distance does not and cannot damage the

penitentiary property, but may prove a benefit in protecting it during the season of high floods, and be a great convenience in the way of shipping and receiving merchandise, supplies, and coal.

"The board has already established a precedent in a precisely similar case, to wit: in giving their tacit consent that the county commissioners might encroach upon and appropriate some of the grounds of the old penitentiary in order to place the soldiers' monument in front of the same.

"*Resolved, therefore,* That the survey of the Pittsburgh and Western railroad company as exhibited on the plans and drawings of their engineers, and shown to us on the grounds along and through the river front of the penitentiary property is acceptable to us, and we hereby give said corporation an easement or right of way (so far as we have the power to do so) through and along said property.

"Herewith is appended a sketch made by our architect, E. M. Butz, Esq., showing location of our building and proposed line of Pittsburgh and Western railroad on this property."

Upon the adoption of the foregoing paper the yeas and nays were called by Mr. Dean, seconded by Mr. Harbaugh, which resulted as follows: Yeas, Messrs. Nevin, Harbaugh and Dean—3. Nays, Messrs. Kelley and Phillips—2.

The preamble and resolution were declared adopted, and on motion the board adjourned.

October 15, 1881.

The president submitted the following letter from H. W. Palmer, the Attorney General, which he requested might be entered in full on the minutes immediately following the proceedings of last meeting of the board.

(Copy.)

WILKES-BARRE, October 12, 1881.

DEAR SIR: I received your letter at Harrisburg the other day relating to the proposed railroad across the penitentiary grounds, and intended to answer before leaving for home, but overlooked it. I do not now recall the exact contents of the letter, but may safely say this, that I shall be perfectly content with any action that may be taken by your board with reference to the proposed railroad.

If you think it best and not seriously injurious to the property, there is no objection to allowing the railroad to pass.

Yours truly,

(Signed,)

H. W. PALMER.

T. H. NEVIN, Esq., *Pittsburgh, Pa.*

Allegheny, October 15th, 1881. A special meeting of the board of inspectors was held this day. Present, Messrs. Nevin, Dean, Harbaugh and Kelley. Absent, Mr. Phillips.

The president presented a personal letter from Honorable H. W. Palmer, Attorney General, dated October 12, 1881, which he stated that he desired it to be entered on the minutes immediately following those of last meeting. It was so ordered.

* * * * *

The following resolution was offered by Mr. William Harbaugh:

Resolved, That Mr. George A. Kelly be requested to present to Mr. Burgwin the action of this board, giving consent to the Pittsburgh and Western Railroad Company to lay their track on the river front of the State property at Riverside, in accordance with the plans and surveys submitted, and also to furnish him a copy of the letter received from Attorney

General Palmer, agreeing to the said proceedings of the majority of the board, and the request that he would ask the court to allow him to withdraw the case.

On the passage of this resolution the yeas and nays were called by the president, resulting as follows : Yeas, Messrs. Dean, Harbaugh, and Nevin—3 ; nay, Mr. Kelly—1. The resolution was declared adopted and the board adjourned.

WESTERN STATE PENITENTIARY, *October 22, 1881.*

A special meeting of the board of inspectors was held this day. Present : Messrs. Kelly, Dean, Harbaugh, Philips, and Nevin.

Mr. Kelly presented communications from Mr. Hill Burgwin and Attorney General Palmer, relative to the Pittsburgh and Western Railroad, and asked to be allowed to submit them as his report in response to the resolution of the board adopted at its meeting of the 15th instant ; which, upon motion, was received and ordered to be placed upon the minutes.

(Copy.)

PITTSBURGH, *October 13, 1881.*

MR. GEORGE A. KELLY :

DEAR SIR : I have yours of this date informing me of the resolution of the board of inspectors, agreeing to permit the P. and W. R. R. Co. to construct their road across the penitentiary grounds, with copy of letter from the Attorney General, and with the request of the board that I ask the court to allow me to withdraw the bill I have filed for an injunction.

I herewith enclose copy of letter received this morning from the Attorney General, which will of course explain itself. But it may not be improper in this connection to explain what I consider to be my own position in this matter. I was employed by your committee under advice of the Attorney General as his *locum tenens* or representative. I filed the bill in equity in the name of the Commonwealth, making the inspectors parties nominally, rather than really or necessarily. It is, therefore, a suit by the Commonwealth under my charge as attorney, selected by you, but receiving instructions as to the conduct of the suit from the Attorney General only. Of course, however, it will always be my pleasure to advise with the board, or individually, at any time. Perhaps it may be unnecessary for me to have said all this ; for it may be that the board understanding it so well is the reason that the board has taken so important and radical a step as to yield the position we have been struggling so vigorously to maintain against the railroad company, without either consulting me upon the subject, or even notifying me that such a matter was under consideration. They looked upon me, I presume, as attorney for the Commonwealth, as in fact I am, and as that of the board of such.

Yours respectfully,

(Signed.)

HILL BURGWIN.

(Copy.)

WILKES-BARRE, *October 13, 1881.*

DEAR SIR : You have my authority to proceed with the bill against the Pittsburgh and Western Railroad Company, if necessary, until at least I have further light on the questions in dispute, to wit : The extent of the injury likely to be caused, by the construction of the road, to the penitentiary property. On the representation that no damage would be done, I wrote to Mr. Nevin, stating that the decision of the board would be satis-

factory. I shall withdraw that letter until an opportunity is given for a thorough understanding of the situation.

Yours truly,

(Signed,)

H. W. PALMER.

Adjourned.

WESTERN STATE PENITENTIARY, *November 19, 1881.*

A special meeting of the board was held this morning. Present: Messrs. Philips, Nevin, Dean, and Harbaugh.

The following communication from the Attorney General was received and ordered to be entered on the minutes:

WILKES-BARRE, *November 14, 1881.*

T. H. NEVIN, Esquire:

DEAR SIR: I have received from Mr. Burgwin, and carefully examined, a draught of penitentiary grounds, affidavit of the warden bill in equity, and copy of minutes of your board, and am of opinion that the case is one peculiarly within the province of the board to decide as a question of public policy. If a majority of the board are of the opinion, under all the circumstances, that the railroad ought to be constructed, the officers of the State will abide by their judgment and withdraw from their position. The company should file a bond, and if actual damage is done, the State can be protected. From the light I have on the case, I am not able to see that any serious injury would result to the Commonwealth property by the construction of this road, but leave the matter, where it very properly belongs, in the hands of the board.

Yours respectfully,

[Signed.]

HENRY W. PALMER.

Adjourned.

By Major Walker:

Q. Was there a bond filed?

A. They have persistently refused to file a bond, for some reason or another, and it don't seem as if they were ever going to.

Q. What objection do they make to filing a bond in accordance with the letter of the Attorney General?

A. Well, I suppose as they have had their way pretty much all along, through I suppose they intend to have it to the end.

Q. Has there been an official demand made for the filing of a bond?

A. Our attorney has repeatedly asked for a bond, and went into court and asked for a bond, but for some reason or other they have nor will not. Since that time it has been passed into Mr. Cassidy's hands.

Q. Do you know whether there are any proceedings of record that will show that the Attorney General has taken any action exempting the Pittsburgh and Western Railway Company from filing a bond?

A. Repeat that, please.

Q. Is there any record that would show that the Attorney General has exempted them from filing a bond?

A. I don't know.

Q. No bond has been filed, though repeatedly asked for?

A. No, sir.

By Mr. Hart:

Q. Do you know of any other action, taken by the board, that was not referred to here, in reference to this matter, on the minutes?

A. There may have been some action taken; I am not positive. There

is the last action, I believe, which was taken while I was in the board with reference to the resolution offered in regard to accepting the present lines of the road by the board.

Q. What action was taken upon that?

A. That minute is here.

Q. Just read it, please.

WESTERN PENITENTIARY, *November 25, 1882.*

A special meeting of the board of inspectors was held this morning.
Present: Messrs Dean, Kelly, Nevin, and Philips.

* * * * *

The president reported that he had requested the Pittsburgh and Western Railroad Company to prepare a diagram of their track, as laid out through the penitentiary grounds, with a view to withdrawing adverse proceedings from court and establishing the final route of said road. Unanimously agreed to, and the warden authorized to carry out these instructions. Then, on December 16, 1882, a special meeting of the board of inspectors was held this morning. Present: Messrs. Dean, Kelly, Nevin, Harbaugh, and Philips.

* * * * *

Mr. Nevin offered the following resolution, which was approved:

The Pittsburgh and Western Railroad Company having, at our request, submitted a diagram of its right of way as now located through the Riverside Penitentiary property, (showing a mean distance of one hundred and twenty-eight feet from the new building,) and the same having been accurately measured and verified by a committee of this board, and found to be correct, the same is hereby accepted, with the understanding that no further encroachment shall be made or allowed on the north side of said railroad as now located on, and over said grounds. Adjourned.

That was not approved.

By Mr. Hart:

Q. Do you know of any further proceedings?

A. That was not approved, and that was about the end of my term here.

By Major Walker:

Q. The present location of the road, if I understand you correctly, is not in accordance with the easement granted by the board of inspectors?

A. No, sir; not with the original lines as drawn by them.

By Mr. Hart:

Q. Do the minutes show any further action on the part of the board in reference to this matter?

A. The next is on December 23, 1882, as follows:

"A special meeting of the board was held this morning. Present: Messrs. Dean, Nevin, and Harbaugh.

"Mr. Dean moved a reconsideration of the vote on the resolution relating to the Pittsburgh and Western Railroad Company, which was negatived at the last meeting. Mr. Harbaugh seconded the motion, and on the question being called, the vote was unanimous in favor of reconsideration.

"Mr. Nevin asked and received leave to withdraw said resolution, and the meeting then adjourned."

Q. Was there any further action?

A. I have no official knowledge of anything further.

By Major Walker:

Q. What would you estimate the value of the material on the grounds here, after the removal of the prisoners to Riverside. What do you estimate the value of the material?

A. I could not give even an approximate idea of their value.

Q. State whether, in your judgment, it would be better to sell the stone, and the iron, and whatever else there is here, than to transport it down to Riverside; which would be the best for the State, in your judgment?

A. I have no hesitancy in saying that I think it would be better to sell it; I think it would cost nearly as much to transport it as it is worth.

By Mr. Graham:

Q. How near to the contemplated central building, the front of it, will this railroad come?

A. That question I will have to ask the architect to decide for me.

By Mr. Hart:

Q. In these measurements, this distance of 180 feet, that has been spoken of, is that measuring from the north end of the ground proposed to be occupied by the road, or from the center of the block?

A. From the center.

Q. What is it now?

A. One hundred and fifty feet and seven inches; the original was one hundred and seventy-five feet. You see there is where the encroachment was from the original line.

By Major Walker:

Q. You and Mr. Philips were a special committee; did you understand, as a part of the province of your duty as a committee, to have the attorney request that the bond should be filed?

A. Yes, sir.

Q. Did you make that request of the attorney?

A. Yes, sir; and the attorney has repeatedly made the request of the road.

EDWARD S. WRIGHT, a witness recalled before the committee.

Examination by Mr. McCrum:

Q. Who were the original bidders for the house that Mr. Schreiner built? How many bidders were there in all?

A. Twelve bidders on the basement of the original building.

Q. State who they were, and their amounts.

A. Bentley & Schmidt, \$148,000; George A. Cochran and John A. Kerner, \$135,000; A. & H. C. Corry, bid not properly prepared, there was no action taken on it; T. D. Owen, \$116,400; F. C. Negley, \$90,000; Charles Mackin, \$114,500; T. B. & J. H. Knox, and N. T. Drum, \$89,000; Huekenstine & Co., \$103,697; John Schreiner, \$98,000; Forester & Randolphson, \$104,696; Jacob Friday, \$101,500; John McGraw, \$90,200.

Q. It appears here that there is one bid for \$89,000.

A. The board did not award the contract at the meeting which was held June 21, 1879, but adjourned to meet Monday, June 23, at three o'clock, p. m., to award the contract. A special meeting was held July 2, 1879. Present: Messrs. Philips, Kelly, Dean, and Nevin.

The president presented letters from John McGraw, Esq., Messrs. Knox & Dunn, in reply to questions propounded to them as to what quality of flagging, and what brand of cement they proposed to use in their bids. Both parties replied that they would use the Cleveland stone. On the matter of cement, Messrs. Knox & Dunn proposed to use the Louisville, Letonia, Buckeye, Johnstown, or Cumberland.

Mr. John McGraw proposes to use the Rosendale cement, this cement being, in our judgment, and in the judgment of our architect, of a better quality than any other American cement, and worth from twenty to twenty-five cents per barrel more than either of the above brands; and, as we are informed by our architect that it will require over 8,000 barrels of cement

to finish the present contract, it makes a difference of over \$1,600 in the bid of Mr. Megraw, and Messrs Knox & Dunn, in favor of Mr. Megraw.

The bids, therefore, as before us this morning, as between these parties, are as follows :

John Megraw bid	\$90,200 00
Less difference of cement,	1,600 00
	<hr/>
	\$88,600 00
Knox & Dunn bid	89,000 00
	<hr/>
Difference in favor of Megraw,	\$400 00

The board, therefore, unanimously agreed to award the contract to John Megraw, and directed a contract to be made in manner set forth in the printed specifications. Adjourned."

Q. Didn't your plans and specifications state what kind of cement was to be used?

A. No, sir; it only stated that the cement should come up to a certain standard in the first specification, that is the Megraw contract. In the second contract it specified Rosendale.

Q. How many barrels of cement were used in the basement?

A. Over eight thousand barrels, there was over eight thousand perches of masonry, and it is about a barrel to a perch.

Q. Then the difference in the two cements was \$1,600?

A. Yes, sir.

Q. Is there that difference in the cost of the two cements?

A. Yes, sir.

By Major Walker:

Q. Did you indicate in any way in the contract let, that you required Rosendale cement?

A. The question was only raised by these gentleman who stated according to plans and specifications, except that they would use Louisville cement.

Q. Are there different brands of Rosendale cement?

A. Yes, sir.

Q. In this contract which required Rosendale cement, was it specified what particular kind?

A. I don't think it was; the Rosendale cements are nearly all the same price, and in making the tests we have found them to be about the same strength. There was several different kinds of cement furnished, but Mr. Butz selected the New York Rosendale.

Q. You say that Rosendale was all about the same price?

A. Rosendale cements are all about the same price. The Louisville, Buckeye, Letonia, and Cumberland are all cements which are cheaper.

Q. Do your specifications require Rosendale?

A. Yes, sir; the contract requires them.

Q. Now, how about the bidders for the building? Please state them.

A. The next contracts were opened at a special meeting of the board, which was held on October 6, 1880. Present, Messrs. Dean, Kelley, Nevin, and Phillips. The following bids for superstructure of north wing of the new prison at Riverside were duly considered.

James H. Harlow, \$173,500 00; J. P. & R. H. Knox, \$247,000 00; Forrester and Alston, \$240,000 00; Huckenstein & Co., \$214,800 00; John Schreiner, \$184,995 00; John Megraw, \$235,000 00.

After careful inquiry as to character, stability, &c., of the bidders, the

contract was awarded to Mr. James H. Harlow at \$173,500 00, provided his bondsmen are satisfactory.

Adjourned.

On October 30, 1880, a special meeting of the board was held. Present: Messrs. Nevin, Dean, Kelly, Philips, and Davis. The chairman stated that Mr. Harlow, to whom had been awarded the contract for the erection of new buildings at Riverside, was unable to furnish bondsmen satisfactory. He had, therefore, relinquished the contract, as per following communication:

ALLEGHENY, PA., *October 30, 1880.*

Having been awarded by the inspectors of the Western Penitentiary the contract for the erection of superstructure of the north wing of their new building in this city, I hereby relinquish and decline accepting said contract.

[Signed.]

J. H. HARLOW.

The next lowest bid being that of John Shreiner, amount \$184,995, the board of inspectors unanimously awarded him the contract, conditioned upon furnishing satisfactory bondsmen.

And on November 6, 1880, Mr. Shreiner presented a bond, which was acceptable, and which was approved, and the president was authorized to sign for the board.

Q. Then there was a difference between the lowest and the next lowest bid of \$11,995?

A. \$11,495. Mr. Harlow kept the contract from the 6th of October to the 30th, twenty-four days, to see if he could get bondsmen.

Q. Mr. Schreiner did furnish bonds?

A. He did, on the 5th day of November, 1880.

E. M. BUTZ, a witness who appeared before the committee, and being duly sworn, testified as follows:

By Mr. Hart:

Q. Where do you reside?

A. Allegheny City.

Q. What is your occupation?

A. Architect.

Q. How long have you been engaged in that business?

A. About thirteen years.

Q. Are you the architect employed by the inspectors of the Western Penitentiary?

A. Yes, sir.

Q. In reference to the construction of the Riverside Penitentiary?

A. Yes, sir.

Q. Did you make the estimates upon which the request has been made to the Legislature by the inspectors for the present appropriation?

A. I made some of them; yes, sir.

Q. Please state what, according to your estimate, is the amount which will be required to complete the additional walls on the south end.

A. In my opinion it would be about \$35,000. That is as near as I can get at it approximately.

Q. How did you get at that?

A. I just figured up the number of perches of masonry in that wall, and found that there was three hundred and forty thousand perches of masonry, which would cost now probably a little more than the other, which cost about at the rate of ten dollars a perch. Three hundred and forty thousand

perches, and that is not making any allowance if there is any additional required over and above the present height of the wall from the foundation.

Q. That would be the estimate for the construction of the wall, assuming that you would be obliged to purchase the material, and everything connected with it?

A. Yes, sir.

Q. Assuming that the stone which is in this old building was utilized in the construction of that wall; how much, according to your estimate, would it require to construct the wall?

A. I think by using the old material, the wall could be built from \$7 50 to \$8 00 per perch, that is, if the old material could be used.

Q. Then, if it could be used, according to your judgment, there would be a saving of two dollars per perch?

A. Yes, sir.

Q. What is your estimate of the cost of the completion of the central building as contemplated by the plans and specifications?

A. \$150,000.

Q. How do you arrive at that conclusion?

A. Well, I made an approximate estimate what it would cost as closely as I could obtain the data—it might vary somewhat from that.

Q. Could any part of the material taken in this building be utilized in the construction of the central building?

A. Only such stone as is in the yard-wall.

Q. Has this estimate of yours been made assuming that every part of the material will be obliged to be furnished by the contractors who accept the contracts?

A. Yes, sir.

Q. That is, exclusive of anything that might be utilized which is contained in this building?

A. Yes, sir. That is in the cell-house.

Q. I mean in the central building?

A. That is the guard-house.

Q. What, in your judgment, would be the cost of the workshops that are proposed to be constructed here?

A. In the neighborhood of \$50,000.

Q. How many are proposed to be constructed?

A. The intention was to build one brick shop along the northern line of the yard, about fifty feet wide by two hundred and fifty feet long.

Q. Of what material was it the intention to construct that?

A. It was simply talked of, to be built of brick, wood, and stone.

Q. Is this estimate of \$50,000 based upon the assumption that it is to be built of brick?

A. Brick and stone; brick for the walls, and stone for the foundation, and wood for the floors, joists, and roofs.

Q. How many stories high?

A. We calculated to build it two stories high.

Q. How many compartments would it contain?

A. Well, that has never been settled; it would either contain six or eight compartments, according to the business; the plan has never been fully made, it is only an estimate about what a building of such dimensions would cost.

Q. Would not a great deal of the material contained in the shops, and buildings that are connected with this establishment, be advantageously utilized in the construction of these shops?

A. Some of that material could be used ; yes, sir.

Q. Assuming that it could, how much, if any, would that reduce your estimate of the cost of the construction of that building?

A. That is hard to answer ; what it would cost to take this down, and the old material, and what the transportation would cost—how much it would save.

Q. It would be a saving ?

A. Yes, sir ; but in dollars and cents I could not state it at this time.

Q. What are the dimensions of the proposed boiler-house ?

A. That is intended to be 50x60 feet.

Q. Is that a separate building, disconnected from the other buildings ?

A. From the cell-house ?

Q. Yes, sir.

A. Yes, sir.

Q. Does this estimate that you have referred to include the construction of the boiler-house ?

A. The \$50,000 ?

Q. Yes, sir.

A. No, sir ; that is another item. \$50,000 was the approximate estimate for the workshop, and \$5,000 for the boiler-house ; I think that was the approximate estimate.

Q. Have you superintended, from the commencement, the construction of this building ?

A. I gave the building a general supervision ; the board have a man standing on the building, a first-class mechanic, constantly ; I go there and visit it from time to time.

Q. How are the contracts let ?

A. They are let to the lowest bidder on invitation by advertisement. The plans and specifications are prepared by me ; after that the board advertises for bids and they receive sealed proposals ; I have nothing to do with the letting of the contracts, the board award all the contracts, and in every case they are awarded to the lowest bidder on the filing of a proper bond.

Q. Are you in any way interested in any of the contracts ?

A. No, sir.

Q. Have you been interested in any since the commencement of the construction of this building ?

A. No, sir.

Q. Has the work that has been completed been done in conformity with the specifications as you have submitted them to the board of inspectors ?

A. Yes, sir ; all the work that has been accepted has.

Q. Has there been some work done, then, that has not come up to specifications ?

A. I can better state what contracts have been completed ; that will give you a better idea.

Q. Just answer that question and then give your explanation of it.

A. All the objections to some of the work is to some pointing and the strike of joints—pointing joints in the brick-work and some stone-work, and the latter cannot be done until the weather is suitable, otherwise the work is all satisfactory.

Q. To whom was that contract let—the contract of which you complain ?

A. That was let to Mr. John Schreiner ; he has a contract for the entire superstructure. All the brick-work, and stone-work, and setting of the iron, the contractor has never asked to have it taken off his hands, and does not claim it is finished.

Q. Have you carefully and critically examined the stone-work with reference to the size of the stone as compared with the specifications?

A. Yes, sir.

Q. And kind?

A. Yes, sir.

Q. Of the material?

A. Yes, sir; and it conforms to the specifications in every particular.

Q. Are the sizes of the stone always designated in the contract or specifications at the time of the letting of the contract?

A. The size of the stone is designated, the height of the courses and beds, and he is not allowed to work in any to suit the spaces.

Q. Could there be any slighting of that work without detection?

A. No, sir.

By Major Walker:

Q. Did you ever detect any?

A. No, sir.

Q. You testify, then, that the construction is in accordance with the plans and specifications?

A. Yes, sir.

By Mr. Hart:

Q. What was the height of the building as contemplated by the specifications?

A. The plans specify and require the exterior walls to be fifty-seven feet and one inch, that is to the top line of the main building.

Q. What is the height as constructed?

A. It is exactly these dimensions—exactly fifty-seven feet and one inch.

Q. What was the width as required by the specifications?

A. At the north end the building was to be sixty-four feet wide, that is, the walls were thicker at certain portions. The mean general thickness of the wall, it is sixty-two feet wide, that is, the exterior dimensions, sixty-two feet wide by four hundred and sixty-seven feet six inches long. It has been built four hundred and sixty-seven feet, and seven and one half inches long, or one and a half inches longer than the plan required, and the width three fourths of an inch wider than the plan required.

Q. Why was that done?

A. I can only account for it that the first contractor in getting his wash on the courses got the wash a little straighter.

Q. Did you allow extra for it?

A. No, sir.

Q. That does not effect the general plan?

A. Not a bit.

Q. Not in any respect?

A. It don't have any effect.

Q. Neither improves it nor injures its value?

A. No, sir.

Q. How many prisoners is the north or west wing designed to accommodate?

A. There are six hundred and forty cells in the north wing, accommodating six hundred and forty persons, if one were placed to a cell; there is one hundred larger cells than those, which would add one hundred more, if it is desirable to place two in a cell. In that case it would accommodate seven hundred and forty.

Q. How near are those cells completed now?

A. They are completed with the exception of a little pointing in them

and a little white-washing; there is some little work to do on the roof that will require a month to do yet; it can't be done with this weather.

Q. Has heating apparatus or engines for heating been placed in that portion of the building?

A. Yes, sir.

Q. Is it, in other words, ready for occupation, excepting the construction of the central building?

A. Yes, sir; it would be when these contracts that are under way are completed.

Q. How soon are those required to be completed?

A. They have all to be completed within the next sixty days, that are now under way.

Q. Could not a temporary structure be placed at the south end, whereby those cells could be utilized?

A. Well, that is a question for the warden to answer, how it would affect his management.

Q. Could that be occupied now, as it is?

A. They could occupy it if pretty well guarded; they would need a guard-house.

Q. All that would be necessary, to have a guard-house at the end of the wall?

A. That is, the central building.

Q. I mean could there not be a temporary structure put up which would answer as a guard-house during the progress of the construction of the central building?

A. I think there could be some arrangement after you got above the first story. After you built the first story of the building, then there could be an arrangement to utilize it.

Q. In your judgment, how much money would it require to complete the central building to the point where those cells could be utilized?

A. Well, it would require to be built up to the main roof, that would cost at least \$100,000. Leaving the roof off and the superstructure above the guard-room, that is, the hospital portion, then it would cost more hereafter to erect it than it would now, because the material would all have to be taken up from the outside.

Q. Could any more prison labor, or convict labor, be utilized in the construction of this building than has been?

A. No, sir.

Q. Why not?

A. Because we could not take the prisoners outside to work on the building, we did all that was possible to do inside without bringing the men outside of the walls. We constructed all the cell doors, built all the gallery work, built the roof and trusses, and built all this large grating to the windows, but when we come to place the work in position we had to contract to do it, because it would cost more to guard the fellows and keep them there than to do it the way we did.

Q. You are familiar with the material contained in this building—the old penitentiary?

A. I am; some portion of it, probably all, so far as it is possible to see all walking and examining it, without cutting into the walls.

Q. What, in your judgment, is the material contained in this building worth?

A. In all the buildings—the walls and cellars?

Q. Yes, sir?

A. I judge it would be worth forty or fifty thousand dollars if it can be utilized in connection with the building.

By Chairman McCrum :

Q. What is it worth to sell, assuming there is half a ton of iron in each cell?

A. If the material was taken out and piled up by prison labor, I presume it would be worth \$50,000.

Q. Suppose the board of inspectors advertise this building for sale, and receive bids, what would you imagine it would bring—the contractor to remove it?

A. Oh, I don't think it would be worth more than twenty or twenty-five thousand dollars.

Q. It was stated that there was fifteen miles of pipe.

A. Some of that pipe might be rusty, you know, and some might be otherwise in bad condition, and only sell for scrap.

Q. Some of the inspectors say it is worth sixty or seventy thousand dollars.

A. I didn't mean to utilize the building; I judge it will be worth that if you take it and utilize it; it will be worth to the State as much as that.

By Mr. Hart:

Q. Then you think it would be economical to utilize as much of this building as possible?

A. Yes, sir; the shops and guard-walls.

Q. More economy in that than to sell it?

A. Yes, sir; unless sold as loose material, by breaking it down and piling it up with convict labor, and sell it in that manner, but to sell it in a lump like the Allegheny poor-house did, it cost them ten or twelve thousand dollars to remove that building in place of making money by it.

Q. How near the front of the center building does the Pittsburgh and Western railroad line, as now located, come?

A. It is one hundred and fifty feet and seven inches.

Q. From the front line of the steps?

A. That is, the office building.

Q. You say one hundred and fifty feet; I mean from their line to the steps?

A. That is forty-two feet; it is only expected they would run that far, [pointing on plan.]

Q. How far is it from the sill of the office building, as proposed to be constructed, to the center of the railroad?

A. To the building proper it would be sixty feet.

Q. How much ground does the railroad company now occupy in width in front of this building?

A. I don't think they occupy over thirty feet. I am not positive as to that, though.

Q. How far east of the center line does the railroad extend?

A. I think fifteen feet—eight feet; here [referring to the plan] it is marked eight feet.

Q. How far would the east line of the road, or ground as occupied by the railroad, be from the office-building—the walls of the office-building proper?

A. Be fifty-two feet.

Q. How far would it be from the steps of the office-building, as they are proposed to be constructed, to the landing of the steps?

A. Say forty-two feet.

Q. How much nearer is the road, as now located, to the building than

the line of it was as it was originally proposed to be constructed at the center building?

A. Twenty-four feet and five inches.

By Mr. Graham :

Q. It is now located twenty-four feet and five inches nearer than it was proposed at first?

A. Twenty-four feet and five inches.

By Chairman McCrum :

Q. In other words, they take twenty-four feet more land than they proposed to take?

A. They come twenty-four feet and five inches nearer to the building than they were allowed, as I understood.

By Mr. Hart :

Q. How near would the road, as now laid down, be to the end of the south wing of the building as it is proposed to construct it, if ever constructed?

A. I think, as near as I can understand their plan, they are further out; that it would be about eighty feet.

Q. That would be from the center line?

A. Yes, sir; to the building.

Q. How near would that bring the eastern boundary, or line, to that portion of the building?

A. Seventy-two feet.

Q. How is it with reference to the grade there?

A. It is all level.

By Mr. Graham :

Q. This center rail, wherever they may locate, if they have the right to locate as indicated, have they not the right to take so much outside of that?

A. That is in the center. It is the center of the east track as laid; if they have a west track they go outside of that.

By Mr. Hart :

Q. Is the old house of refuge wall extending from the line of the proposed railroad under the wall down to the center building?

A. Is there one there?

Q. Yes, sir.

A. Yes, sir; there is one along Kerr street—there is the old house of refuge wall along Kerr street, extending from Kerr street to the center of the old building now standing.

Q. That is now utilized to complete the inclosure?

A. So far as it is used, the old House of Refuge wall has been used.

Q. Could not this wall, [pointing to map,] the old house of refuge wall, be used or utilized in the construction of the new proposed building?

A. Some of the material can be, but not very much. The lower portion of the wall here was not well built, as it contained a good deal of small stone.

Q. How much of it could be used?

A. Probably one third of it might be used for backing.

Q. If that could be used, then that would reduce your estimate of the cost of construction of this new wall?

A. Just to that extent; yes, sir; to the extent of what the old material could be used.

Q. Isn't a portion of it used now?

A. It is used as a guard wall for the present.

Q. While that was being done, and the new wall being built, could not the prisoners be kept in the cells?

A. No, it would cost more than it is worth.

Q. Would it not be more economical to the State?

A. No, sir; the saving in it would not pay. The old material in there would not amount to more than \$2,000. The wall is a simple affair, simply to keep children in.

By Major Walker:

Q. Are you connected in any way with the Pennsylvania Construction Company?

A. No, sir.

Q. Do you know anything about such a company?

A. I know there is such a company.

Q. Do they furnish any materials for the new penitentiary at Riverside?

A. They have not yet.

Q. Have they a contract to do so?

A. They have a small contract for making some little grating.

Q. Of iron work?

A. Yes, sir. I don't know what it amounts to—the grating at the end of the vent corridor.

Q. Do you know whether any of the managers or inspectors have any interest in the Pennsylvania Construction Company?

A. I don't think they have—they have not. The difference between the bids of the Pennsylvania Construction Company and other parties outside was over \$1,200. They were awarded the contract because they were the cheapest.

On motion of Major Walker, seconded by Mr. Graham, adjourned to meet at two o'clock.

And now, to wit: at two o'clock, p. m., committee met pursuant to last adjournment.

Present, Chairman McCrum, Senators McNeill and Hart, Representatives Walker and Graham, and witnesses. and the taking of testimony proceeds.

E. M. BUTZ, a witness who appeared before the committee, resumes the stand, and examination continued by Chairman McCrum.

Q. In your plans and specifications did you specify that there should be channels cut in the flagstone for the door jambs?

A. I can tell by referring to the specifications. I will read the section of the specifications: "All the cells shall have flagstone floors and ceilings, as shown by the several drawings. All the said flagstone shall be six inches thick, perfectly smooth on both sides, in one piece for each cell, and to be at least four inches larger on every side than the size shown and figured for cells upon the drawings. The flagstone that forms the ceiling of the fifth tier of cells shall be of ample size to project over past the face line of brick walls to form cornice cap, substantially as shown by the drawings. All shall be set perfectly level upon the walls, well and carefully bedded with cement mortar, made as heretofore mentioned." It has been perfectly complied with.

Q. Could you not say yes or no to that question?

A. It don't read that way.

Q. I mean in your advertisement for the channels did you propose cutting channels in the flagstone for the door jambs?

A. No, sir.

Q. Your specifications did not require them ?

A. No, sir. The specification requires this : " The contractor to set all the iron gratings for the windows that the board of inspectors may furnish, all of which will be placed near the blacksmith-shop in rear yard of prison, (contractor to examine place from which gratings are to be moved,) from which place the contractor shall take them, and set them into place, and shall do all cutting of mortises, holes, &c., necessary to fully secure said iron work firmly to place. Any bracing necessary to stay the iron work until fully built into the walls shall be provided, and put up, by the contractor, all in most secure and substantial manner." And here is another specification : The contractor shall cut in " any and all holes, mortises, openings, &c., required in any part of the stone work for pipes to pass through, or to place bolts in to secure any work hereinafter to be done, shall be cut in by the contractor, as may be directed, or as shown by the drawings." All work that is required is done.

Q. I ask you if you indicated in the plans and specifications that there should be channels cut in the flagstone to receive the door jams, and you answer is they don't require it ?

A. These specifications don't say anything about that—about any channels to be cut in for the door frames. It don't say anything about that, but in some places there has been some cut.

Q. Were the stones in the ashler cut to the size required, as specified, or were they of any size that happened in quarrying ?

A. No, sir ; they are according to the size of the plans and specifications. In some instances they are more than the sizes called for by the plans.

Q. Is the turret top as shown in the plan ?

A. No, sir ; there was a change made on them, and I will explain the reason. First, when these turrets were built or designed, they were simply designed as ventilators to the cellars. Afterwards, when we changed our method to a direct blast by radiators, by allowing the air from the cellar to pass through the radiators and the ventilators, as shown by those plans, we changed the turrets. The system we had intended to use would have cost about \$47,000. We changed that system and adopted the blowing system, and the openings in the turrets were made larger, to supply sufficient air, but they are built to where the cap begins, exactly to the plan, only the cap was elongated.

Q. Did it cost more ?

A. No, sir ; the contractor built them for the same.

Q. Did it cost less ?

A. No, sir ; it cost the contractor more, so he claims, but he agreed at the time he would make no charge.

Q. Did the cement freeze out in four or five cells ?

A. The cement froze out in the upper tier of cells.

Q. Who was in charge of the work ? Did he make any complaint or object ?

A. Mr. Thompson was in charge of the work at the time, and we went there to stop the work, and he complained about it. The bricklayer wanted to know who was going to pay him if we stopped the work at that time. I had no power to stop the contract, and him to go on, if he wanted to, at their risk, and if it did freeze out they would have to point it, and I stated I would take no risk.

Q. What was the result ?

A. The result was that some froze out and has to be pointed by the contractor.

Q. Does the State pay for it?

A. No, sir; the State don't pay anything. The contract requires them to deliver the job according to plans and specifications.

Q. Did the bricklayer ever say the work would be of no good if it was built in and froze?

A. No, sir.

Q. Was there any objections made to the stone-work, and if so, by whom?

A. There was no objection made by anybody except the bricklayer. He claimed upon several occasions that the stone had not a bed. I was called upon to decide, and measured the stone and found that it was up to specification.

Q. Was the stone in the corners laid in Portland cement?

A. Yes, sir.

Q. What kind?

A. Some of it was laid in German Portland; I think it was all laid in German Portland; might have been some in Allston, and some in Portland cement.

Q. Was there any difference in price?

A. No, sir.

Q. What does your specification require?

A. Simply Portland cement. The Allston Portland cement is better than the ordinary Portland cement, is the most costly, and the highest priced.

Q. How many persons bid on raising the stone wall on a level with the new wall, on the wall between the old and new building?

A. That I could not state; the minutes of the board will state. It was advertised for in the usual manner, and let to the lowest bidder. The bidders were: Huckenstein & Co., \$47,500; J. P. & R. H. Knox, \$42,000; Bente & Schmidt, \$47,000; J. McGraw & Son, \$51,000; John Schreiner, \$38,673. This contract was awarded to Mr. Schreiner at his bid, less a reduction of \$4,606 for reduction in length and height of wall, making net amount of contract \$34,067. That was given out on the 11th of February, 1882.

Q. Who received these bids?

A. The bids are all sent under seal, directed to the board of inspectors, and filed, and opened at that table at eight o'clock in the morning.

Q. They state the hour that the bids shall close?

A. Yes, sir.

Q. Was Mr. Schreiner's bid in at that time?

A. Yes, sir; Mr. Schreiner's bid was in like the others. At that meeting were present Messrs. Nevin, Dean, Kelly, Harbaugh, and Philips.

Q. Do you know a company called the Pennsylvania Construction Company?

A. Yes, sir.

Q. Did you answer that you knew who the members consist of?

A. I don't know all the members; you know it was a stock concern, and they may sell their stock from one day to another, so it is impossible to know who are interested in it.

Q. You are not interested in it?

A. No, sir.

Q. Is Mr. Dean?

A. No, sir.

Q. You would be likely to know if he was?

A. Yes, sir.

By Mr. McNeill :

Q. Did this Pennsylvania Construction Company do any work for you?

A. No, sir; they have only received one little contract for some little grating; they received that because they was \$12 00 less than other bids.

Q. It could not be a very little contract?

A. The bids run from \$1,100 to \$2,200.

Q. Did the contractor ever change work when it was condemned?

A. I don't know that there was any condemned. I had some brick wall changed—taken out—that was ordered to be changed, and some cell work; the trouble we had principally was in the brick-work.

Q. Was there ever any cement condemned?

A. Oh, yes; I condemned a small lot of Wampum cement that was being put in at the north end of the building on account of it not being satisfactory—at one time.

Q. Was it taken and used as cement afterwards?

A. No, sir; not as cement; it was used as sand and concrete. We used new Portland cement along with it; it answered the place of sand.

Q. Did you pay for it?

A. We didn't pay for it when it was condemned; no, sir, the loss fell on the manufacturer of the cement.

Q. Was there ever any Rosendale cement ordered that was not used?

A. I don't recollect it; we don't order any cement, we only test the cement. The contractor makes all his own purchases, and we simply test the cements. We had a man designated for that purpose who made the tests.

Q. Do you know a man by the name of B. F. Swain?

A. Yes, sir.

Q. What connection had he with the building at Riverside?

A. He was a sub-contractor for the brick-work.

Q. Under whom?

A. Under Mr. Schreiner. I will explain their relation towards one another: Mr. Schreiner was a contractor who had the brick and stone work, and the wooden work, and the window frames, and the setting of all iron work. He sub-let the brick work and carpenter, to George A. Cochran, and Cochran sub-let the brick work to Swain.

Q. Did your contract allow him to sub-let the brick-work?

A. Yes, sir; he gave a lump bid to build the entire brick-work according to specifications.

Q. Did your specifications prevent him from having any work done by sub-contractor?

A. No, sir; there is nobody does that here.

Q. You had nothing to do with anybody but Mr. Schreiner?

A. No, sir; I only recognized Mr. Schreiner in the contract.

Q. If Mr. Swain was not doing his work right, whom would you complain to?

A. I would notify Mr. Schreiner.

Q. That same rule would hold good to Mr. Cochran?

A. Yes, sir; I would notify Mr. Schreiner that the work being done was not done satisfactorily. I have done that repeatedly.

Q. I believe you stated that the State had a mechanic upon the building all the time.

A. Yes, sir; they had a man named Thompson constantly on the building.

Q. What is his trade?

A. He was a builder—a practical builder.

Q. Would his knowledge extend to the brick-work, stone-work, wood-work, and iron-work?

A. Yes, sir; and then he had nothing to do but to see the plans carried out. All the plans were furnished in triplicate; one set for him, one set for the contractor, and I retained myself the original.

Q. Do you know what salary he received?

A. I don't know; the board employed him.

Q. Do you know where Mr. Thompson is?

A. He is in the city.

Q. Do you know where Mr. Swain is?

A. I don't know; I only know from common rumor.

Q. The same as we do?

A. Yes, sir; the rumor has been that he is going away. He has sold out.

Q. A member of the board stated yesterday what your salary was. I wish you would state it again, if you please.

A. I get \$3,000 for preparing all the plans and specifications, and detail drawings, and have a general supervision of the building until it is finished.

Q. The \$8,000 at the time that pay was fixed, specified that it was when the whole building was completed?

A. No, sir; just what we have under contemplation, and the yard walls, the shops, the north wing, and the rotunda or central building, and so on.

Q. About how much of your time is occupied?

A. It takes up, probably, one third of my time. In addition to that, an assistant nearly half his time. Sometimes I have two or three assistants in preparing plans.

Q. In preparing these plans did the inspectors advertise for plans and specifications, and receive them from different architects?

A. No, sir; I was employed, and prepared the preliminary plans until a suitable plan was produced or made to their satisfaction, and then the general plans.

Q. They never invited the plans of other architects?

A. I don't know.

Q. No other plans were submitted?

A. I don't know; but that figure I receive is a very low figure. Architects generally receive five per cent. for the service I have been rendering. This has been running for a period of over four years. If the thing had been pushed right along it would not have been so bad.

Q. How often do you visit the building during the progress of the building?

A. On an average of two visits a week. Sometimes more and sometimes less.

Q. Do you meet with the board of inspectors, and advise with them, during the progress of the work?

A. The board of inspectors and myself visit the building generally.

Q. And any alterations made are made at your suggestion?

A. The only alteration was in regard to the turrets. The alteration in the heating apparatus necessitated that. By that change we saved \$20,000, and I thought that was a judicious saving to make.

JOHN SCHREINER, a witness who appeared before the committee, and being duly sworn, testified as follows:

Examination by Mr. McNeill:

Q. Do you reside in the city?

A. Yes, sir.

Q. What connection have you with the building of the new penitentiary?

A. I am contractor for the entire work above the basement.

Q. How much did your contract include?

A. One hundred and eighty-four thousand nine hundred and ninety-five dollars.

Q. Give a statement of what work you do.

A. I had the contract for the whole building, and I sub-let the brick-work—

Q. You had the brick-work, too?

A. Oh, yes.

Q. And the stone-work?

A. Yes, sir.

Q. And the placing of the iron-work?

A. Yes, sir; and the carpenter work.

Q. Did you place the roof—the iron in place?

A. No, sir.

Q. You had nothing to do with the roof?

A. No, sir: a special contract.

Q. You placed all the iron up to the roof, did you?

A. Yes, sir.

Q. You placed the iron up to the top of the cells along there—that sheet-iron and all that?

A. No, sir; that is the roof. The roof comes to the level from the wall, and this sheet iron—that is part of the roof.

Q. You sub-let part of it, did you?

A. Yes, sir.

Q. To whom did you sub-let?

A. George A. Cochran.

Q. What part of the work did you let?

A. The brick-work, and the setting of the iron-work, and the carpenter work.

Q. How much did this contract amount to?

A. Amounted to in the neighborhood of \$70,000. Might be a little over that—I could not tell.

Q. Did you sub-let any other part of the work?

A. No, sir.

Q. You only sub-let the carpenter work and the iron work to Mr. Cochran?

A. And the brick-work.

Q. When you took the contract there was so much brick-work and so much stone work to do?

A. Yes, sir.

Q. Was there any change made in the proportions of the brick and stone after you took the contract?

A. Yes, sir. The specifications calls for the towers or turrets—what you call it—should be lined the same as all the rest of the work, and, instead of that, I have built it all of stone, and used no brick.

Q. Why I wanted to ask you that question was, there was something said here about after the brick-work was let to this man Swain, that the proportions of stone and brick was changed; less stone and more brick than what was in the original building.

A. The building is the size that is called for; if he saved on the brick it used some other material; by the change he saved one hundred and

ninety thousand brick, and if the stone turrets were larger than the specifications called for it would take less brick.

Q. So the change was a saving.

A. It was a saving to Swain?

Q. Was his bid reduced—the amount of his contract reduced on that account?

A. No; he got the amount of it.

Q. He got the original amount of his contract?

A. Yes, sir.

Q. Would it not be just to reduce his price in proportion to the amount of brick he saved?

A. It would; but still he claims his extra work; I can't see how it is extra work; he claims that it is seven and a half inches higher, and several places he claims it is greater than it is called for.

Q. Will you state the reason why this change is made in the proportion of the stone work?

A. Well, the turrets is a very difficult place to get at with brick, and I came to the conclusion that the extra scaffolds had to be put up, and I thought it was better to put in more stone than the plan required.

Q. Was the material you used, or stone, in accordance with the specifications, or the required quality of stone?

A. Yes, sir; we used the very best quality of stone that could be got in the place.

Q. And the size?

A. Yes, sir; and the size in many places is far larger.

Q. Did you ever build any other public buildings?

A. Yes, sir; the court-house at Harrisburg, and the Fourth Avenue church, in Pittsburgh.

Q. Where you built a public building was it your business to examine the quality of the brick-work being done?

A. Yes, sir.

Q. And it was satisfactory?

A. Yes, sir.

Q. Did anybody else examine the work done at the penitentiary?

A. Yes, sir; Mr. Butz, and Mr. Ferguson, the engineer there, and many other bosses.

Q. Mr. Thompson?

A. Yes, sir; Mr. Thompson was there all the time.

Q. Then the material used and the workmanship was all exactly according to the specifications, except that difference you have mentioned?

A. The stone specifications called here for a number of quarries; the Baden, for instance, and the Brier Hill, and the Massilon; it took such an amount of stone down there; as the Baden is the cheapest, I could not get the Baden in the quantity, so I took Massilon stone, and paid in the neighborhood of probably fifteen cents a foot more than I could have got the Baden at, because I was bound to take the stone where I could get the quantity; down there at Baden it would take fifteen or sixteen years for the amount that building took, and I couldn't get any other stone as good as this and have the quantity delivered in time.

Q. Did you ever use any material in that work that was originally used in the house of refuge building, which you found on the ground?

A. No, sir. You mean the building?

Q. I mean the building.

A. No, sir.

Q. Had you the contract for the building of the wall?

A. Yes, sir.

Q. That was separate, was it?

A. That was a separate contract from the other.

Q. Did you use any of the material you found on the ground for the wall?

A. Yes, sir; for raising the old wall.

Q. In the original contract for building the old wall was that taken into consideration?

A. Yes, sir. The old wall was raised ten feet higher, and we used the old wall—the inside of the old wall of the old house of refuge—and we raised it an additional ten feet higher. In the new wall there is no stone from the old house of refuge.

Q. You used that for raising the wall higher?

A. Yes, sir.

Y. What sort of a contract did you have?

A. My contract was, if there is any addition than the bid calls for I have to state the price. And I was allowed to state what I could buy that for the same as new; and I just allowed them what I could buy them for, the same kind of stone.

By Major Walker:

Q. Who measured them when they was put in the wall?

A. Oh, they was put in the wall.

By Mr. McNeill:

Q. The whole of the old wall? It is very easy measured—it is all stone.

A. Yes, sir.

Q. What does this wall, this new one, cost per perch?

A. The average for that work was about ten dollars at that time. It is necessary for me to state why I should do it so cheap. I had, when that contract was let, a lot of stone right there on the ground.

Q. I mean the wall.

A. Yes, sir; the wall at about ten dollars, and a dollar for the coping a square foot.

By Chairman McCrum:

Q. You started out why you did it so cheap.

A. Well, I told you I had a great deal of stone laying there at the time when they advertised for bids, which, of course, I had to remove if I could not use it. And if any other man took that contract he would have to bring stone there. Of course I bid, for my own convenience, not to move the stone away from the premises, and I used the stone right where I knew it could be used to the best advantage.

By Mr. McCrum:

Q. Had any person, connected in any way with the Western Penitentiary, any interest in your contracts?

A. No, sir.

Q. I mean now any person that was employed on the building, or about the institution, or the managers, either or any of them?

A. No, sir.

ORMSBY PHILIPS, a witness who appeared before the committee and being duly sworn, testified as follows:

By Major Walker:

Q. Are you a member of the board of inspectors of this prison, Mr. Phillips?

A. Yes, sir.

Q. Were you appointed a committee, in conjunction with Mr. Kelly, at any time, by the board of inspectors, for any purpose whatever?

A. We were, sir, on committees many a time.

Q. Were you and Mr. Kelly appointed by the board of inspectors to inquire into the construction of the Pittsburgh and Western railway upon the premises at Riverside?

A. We were.

Q. Mr. Phillips, in your own way state what you done as a committee.

A. Well, sir, we employed an attorney, who went into court and had an injunction applied for.

Q. You asked for an injunction?

A. Yes, sir.

Q. What was the injunction for? To enjoin them from doing what?

A. Going through our premises.

Q. Had they commenced operations on the premises of the State?

A. They were approaching them, and we were apprehensive that they would go through in some way—we didn't know how.

Q. Were you authorized by the board of inspectors to institute legal proceedings to prevent them going through?

A. We were authorized. I forget the wording of the resolution.

Q. You asked for an injunction restraining them?

A. Yes, sir.

Q. What action was taken upon the injunction?

A. Well, it went into court before Judge Stowe, and the judge told them, I think, if I remember rightly—it was a good while ago—that they could go through without bonds. I am not quite familiar with the terms. That is to put the case in a few words.

Q. Did they file a bond?

A. They did not, and have not done so to this day.

Q. Did they file any papers, to your knowledge, or any affidavits?

A. I believe they did have some papers that they didn't propose to do something, or to go through.

Q. Is it your recollection that the affidavit was to the effect that they didn't intend to go through the property?

A. That they didn't intend to go through at that time; I won't say that they didn't intend to go through eventually.

Q. They filed an affidavit to that effect?

A. Yes, sir.

Q. Just state whether they have gone upon the property of the State.

A. They have, sir.

Q. By whose permission have they gone through?

A. By the permission of the majority of the board of inspectors.

Q. Mr. Phillips, where did the board of inspectors get their authority for permitting the Pittsburgh and Western railway to go upon the State's property?

A. I am not sure, sir; I think the Attorney General of the State said that if a majority of the board decided that they could go through, it strikes me, sir, that they could go through.

Q. Did he add the condition, provided they file a bond?

A. Provided that they file bonds.

Q. Mr. Phillips, did or did not the Pittsburgh and Western Railway Company ever file any bonds?

A. Never, to my knowledge.

Q. Do you know whether application was made to them to file a bond?

A. I do, sir; and they declined.

Q. Do you know the reason why they declined?

A. I do not, sir; they declined giving bonds. I forget what the reason was; that they had authority to go through.

A. Yes, sir.

Q. What action was then taken?

A. I don't think anything further was done by the board.

Q. It remained in *statu quo* from that time to this?

A. Yes, sir.

Q. And no further effort to make them file a bond?

A. Except through our attorney. The case was coming up in court, and a telegram came from Palmer to stay proceedings. I was in court that very day; it just stated to stay the proceedings—it was sometime ago.

Q. Mr. Phillips, were the proceedings stayed?

A. They were stayed so far as I know, and I will state this, that I understand there is nothing in the Attorney General's office at Harrisburg, that it is all in the Attorney General's hat.

Q. Did the Attorney General have any official knowledge of the resolution that passed the board, so far as you know?

A. He had everything pertaining to the case sent to him.

Q. All sent to the Attorney General?

A. Yes, sir.

Q. After a thorough understanding of the case, the Attorney General gave permission to go upon the property of the State provided, they file a bond; was that your understanding?

A. That is my recollection of it, if the board were willing, a majority of the board so decided, he was willing to let the company go if they should file a bond.

Q. Was your action requiring your attorney to demand that the Pittsburgh and Western Railway Company file a bond approved by the inspectors?

A. I believe so.

By Mr. McNeill:

Q. Did the board of inspectors employ an attorney as a regular solicitor?

A. We were directed to employ an attorney.

Q. Hadn't you one before that?

A. We never had one, this institution never had one, and I have been here for twenty years. I will state further, that I think I got a letter from Mr. Palmer asking me if anything further had been done in the case, after he had ordered the proceedings stayed. After I had taken the trouble and all to go up there, sometime after that I got a communication from him; it strikes me about one week before he went out, asking whether anything had been done in the matter—something to that effect.

By Mr. Hart:

Q. Did you have any personal communications with Palmer in reference to this matter?

A. I don't remember; possibly I wrote him about it feeling a little sore, maybe I did. But this message of his asking if anything further had been done, I think that came from him unsolicited.

Q. I wish to ask you one more question, whether, in your judgment, the material in the old penitentiary should be sold, or whether it should be utilized in the new penitentiary at Riverside?

A. I am like my colleague, not prepared to say. The original idea was to put down tramways and run it down.

Q. I am asking your judgment in the matter.

A. In my judgment it would be better to take it down, and to remove it.

Q. Did you report that fact back to the board of inspectors?

JOHN DEAN, a witness who appeared before the committee, and being duly sworn, testified as follows :

Examination by Senator Hart :

Q. What relation do you sustain to the Western Penitentiary ?

A. I am one of the board, sir.

Q. How long have you filled that official position ?

A. Well, I can't exactly remember the date, for I didn't pay no attention to it ; but I think it is twelve or thirteen years—since the death of Mr. Marshall.

Q. State whether you have given the construction of this new Riverside Penitentiary your personal supervision.

A. Yes, sir ; I gave it an hour and a half or two hours every Saturday morning, and am generally down there once or twice a week—at the building, sir.

Q. Then you have observed whether the building has been constructed in conformity with the specifications ?

A. I have, through our architect, particularly. I think I was with him several times looking at it ; and I want to give Mr. Butts what is due to him. I never saw a man pay as much attention to a building as he has done to that building, since he commenced. He didn't, in my judgment. I say this now upon my oath, I think he gave in less time than he spent upon that building. I know the man is interested in that building, because it is a big thing to him. He paid a good deal of attention to it. If it hadn't been for him we would have been to a great deal of trouble.

Q. Has the building been constructed, as far as it has progressed, to the satisfaction of the board ?

A. I think so, sir. I think it is satisfactory to the board every way.

By Major Walker :

Q. I would like to ask you this question—I think the other inspectors have been asked the same—what, in your judgment, would be the most desirable thing to be done for the State—to transfer the stone and material in the present penitentiary to Riverside, and utilize it there, or to sell, and use the money ?

A. Well, I would not agree with some estimates that was issued here to-day in regard to its worth. I think it is not worth fifty or sixty thousand dollars to the institution ; and I would suppose the most money would be got out by just building it ; and I think we should find on the erection of this tower, I think in taking the stone down there all cut and ready for work, the cheapest way would be to wagon it, and just hoist them off the wagon on to the wall. The wagons can follow the street car tracks right down there, and haul an immense load.

Q. What I wish to know is whether you think it is better to sell the material or to utilize it down there. Which of the two would be preferable ?

A. That is a question pretty hard to answer.

Q. In your judgment ?

A. In my judgment I think it is better to sell the thing. I wish to state this further : I heard a question asked to-day if I was connected with the Pennsylvania Construction Company. I want to make myself right on this subject. I have not been in partnership for a long time ; the last time it was with my friend McNeill, and then Miss McBriar, and that was the last partnership I was in, and it will be the last. I will not be in another firm during my day.

On motion of Major Walker, duly seconded by Mr. Graham, the testimony in the case of the Western Penitentiary was here declared closed, and on motion of Mr. Graham, adjourned to meet on next Tuesday even-

ing, at half-past seven o'clock, at Harrisburg, in Senate committee-room No. 4.

"To the Hon. J. J. McCORM, *Chairman of the Committee* :

"Mr. Hill Burgwin desired me to transmit to you a copy of the following letter, which he stated he received from H. W. Palmer, Esq., and also the statement appearing after the same :

"WILKES-BARRE, *November 14, 1881.*

"DEAR SIR: After an examination of the draught and papers, I conclude to abide the decision of the majority of the board as to whether contest shall be made in the case of Pittsburgh and Western railroad across the penitentiary grounds, but do not see why the railroad company should not file a bond, as in other cases, and submit the question of damages to viewers and courts. If the majority decide to allow the railroad company to go through you may discontinue the suit on filing the damage bond. Have written to Mr. Nevin.

"Yours truly,

"H. W. PALMER."

Upon receipt of this note, Mr. Burgwin states he notified the attorneys of the railroad company to file their bond. They asked him what amount it should be in, and he, having been informed that the building of the road would require a very large wall between it and the penitentiary building, costing probably \$10,000, he notified the attorneys to file a bond for \$75,000. They thought that too large, and said they would either prepare such a bond or would prepare a bond in the amount they thought sufficient, and let the court decide the question. To this he consented, but they have not since taken any action in the matter, though he has frequently urged them to file their bond and bring the matter before the court.

EXEMPLIFICATION OF RECORD.

COMMONWEALTH OF PENNSYLVANIA, } *Sct* :
Allegheny County, }

Among the records and proceedings of the court of common pleas No. 1, in and for the county of Allegheny, and State of Pennsylvania, the following may be found as matter of file and of record at No. 172, March term, 1881, to wit :

Appearance Docket Entry.

January 3, 1881.

The Commonwealth of Pennsylvania, and Theodore H. Nevin, Robert H. Davis, John Dean, George A. Kelly, and Ormsby Phillips, composing the Board of Inspectors of the State Penitentiary for the Western District of Pennsylvania,

vs.

The Pittsburgh and Western Railroad Company, an association claiming to be incorporated as such by the laws of Pennsylvania. James Callery, president of said company, and John Swan, defendants.

Bill in Equity filed. Friday, January 7, 1881, at half past nine, A. M., fixed for hearing application for preliminary injunction. By the Court.

January 7, 1881, plaintiff moves the court to grant a preliminary injunction against defendants, as prayed for in the bill in this case *eo die* affts. of E. M. Butz, Geo. A. Kelly, Ormsby Phillips, and Ed. S. Wright, *ex parte* plaintiffs filed *eo die* affts. of Emile Low, J. J. Samt, and two affts. of James Callery *ex parte* defendants filed.

IN THE COURT OF COMMON PLEAS NO. 1, OF ALLEGHENY COUNTY,
SITTING IN EQUITY.

BETWEEN

The Commonwealth of Pennsylvania, and Theodore H. Nevin, Robert H. Davis, John Dean, George A. Kelly, and Ormsby Phillips, composing the Board of Inspectors of the State Penitentiary, for the Western District of Pennsylvania, Plaintiffs,

AND

The Pittsburgh and Western Railroad Company, an association claiming to be incorporated as such by the laws of Pennsylvania, James Callery, President of said company, and John Swan, Defendants,

To the Honorable the Judges of said Court :

Your Orators complain and say :

First. Your orators, Theodore H. Nevin, Robert H. Davis, John Dean, George A. Kelly, and Ormsby Phillips, are the duly appointed and acting Board of Inspectors of the State Penitentiary, for the Western district of Pennsylvania, and as such, are intrusted by law with the management of said penitentiary.

Second. On the twelfth day of June, A. D. 1878, an act of the General Assembly of this Commonwealth was approved by the Governor, entitled "An act relative to the Western State Penitentiary, and making an appropriation thereto," (see Pamphlet Laws, p. 210,) whereby the Governor of Pennsylvania was authorized to acquire in the name of the Commonwealth, a full and clear title to all the lands and buildings recently owned and occupied by the Western Pennsylvania Reform School, in the Ninth ward of the city of Allegheny, for the use and occupancy, *exclusively*, of the Western State Penitentiary; and whereby it was further enacted that so soon as the said title should be secured, the said land and buildings should be deemed to be a constituent part of the Western State Penitentiary; and the inspectors of the same were thereby authorized and empowered to use the aforesaid grounds and buildings, or any part thereof, for keeping and employing any number or all of the convicts then or thereafter to become inmates of the Western State Penitentiary; with a view to the removal of all the then penitentiary buildings from the Western Park grounds, Allegheny, and their reconstruction and occupancy by the Western State Penitentiary, on the said new premises, in the Ninth ward aforesaid. And by the same act the sum of one hundred thousand dollars was specifically appropriated, for the purpose of enabling the said inspectors to construct suitable buildings for said prison, on the lands aforesaid.

Third. In pursuance of said act, and of the authority thereby given him, the Governor of this State did acquire the full and clear title to said land and buildings in the name of the Commonwealth, as will more fully appear on reference to the following recited deed of conveyance to the Commonwealth of Pennsylvania, dated the day of September, A. D. 1878, and recorded in the Recorder's Office of Allegheny county, in Deed Book, vol. 384, p. 77; and also to sundry other deeds for the small adjoining lots hereinafter referred to, which had formerly been owned by the above-named reform school, but had been sold off from time to time to different parties; said deeds being of record in the Recorder's Office of Allegheny county, in Deed Book, vol. , page . The entire area includes about sixteen acres.

Fourth. On or about the thirtieth day of September, A. D. 1878, the Board of Inspectors took formal possession of said premises, and under

the appropriation aforesaid and a subsequent appropriation of two hundred thousand dollars more, made by the General Assembly in 1879, have proceeded, with all due diligence, to plan, construct, and erect extensive buildings and improvements thereon, which are now partly completed, and in use as a penitentiary.

Upon these buildings and improvements about two hundred thousand dollars have been already expended; and it is estimated that an expenditure of about three hundred thousand dollars more will be required to finish them complete and ready for use throughout. And moreover, fully as much more will be necessary, should it be eventually decided to carry out the original plans and designs for additional buildings and improvements to make this establishment, in its magnitude and completeness, worthy of the State, and of the great and important purposes for which it is intended.

Fifth. In removing the penitentiary from its recent location on the common grounds of Allegheny City, one chief object with the Board of Inspectors was to have it in a more secluded spot, which, while not inaccessible, would be apart from populous centers, and could be in a measure shut off from the outside world. With this view the grounds above described were selected, having an extended front upon the Ohio river; and whereas, several streets had been laid out over these grounds, and sundry adjoining small lots had been sold off by the said reform school, and built on, the inspectors were forced to buy up these lots and procure the vacation of these streets at a very large expense, for the purpose of acquiring the complete control of all the land, which was necessary to seclude the penitentiary grounds from the public. Another important object was to get a private landing on the river for receiving supplies, especially coal for fuel and gas, the management being obliged for controlling reasons to manufacture its own gas.

Sixth. Recently, however, a party of civil engineers, under orders from the defendant, the Pittsburgh and Western Railroad Company, have entered upon the said penitentiary grounds, and have surveyed and located a line through the same, immediately in front of the main penitentiary building now constructing, and between it and the Ohio river, throughout the entire length, in some places not more than two or three feet distant and passing only a few feet from the main front door.

Seventh. The said railroad company, as your orators are informed and believe, have adopted the said line of location, and have entered into a contract with the defendant, John Swan, for the construction and erection of the railroad thereon, either in whole or in part. They are now constructing a part of their said road, beginning at the terminus, at or near the Hand Street bridge, in Allegheny City; and are making progress in the construction of said railroad at different places on their proposed line, towards the said penitentiary grounds, being at work now at one place, within, perhaps, half a mile therefrom, so that by the way and mode by which they have been advancing, they will, in all probability, unless prevented by the order of this court, enter thereon in a short time, for the purpose of constructing the said railroad through the same. And in fact, the officers, agents, and employees of said railroad company have averred on several occasions, their right and their determination to construct the said railroad through the said penitentiary grounds, notwithstanding any objections or remonstrances from the board of inspectors. And, moreover, it has been stated by some of them, that where they anticipated opposition by a land owner, to the construction of the railroad over his grounds, they would take possession and put it through in the night time.

Eighth. But your orators respectfully represent and aver that the con-

struction and operation of the said railroad through the said penitentiary grounds, and especially on any such location as has been marked out and adopted for the same, would most materially impair, if not wholly destroy, their use and value for the purposes for which they have been acquired, are about to be improved, at so great an expense as has been stated; so much so, that this board of inspectors would never have advised or consented to the acquisition of this property for a penitentiary, had they for a moment supposed that any railroad company or other corporation would have the right to take possession, at pleasure, of any part thereof, and construct thereon improvements, open at all times to the public. For no supposable amount of damages will compensate for the consequent destruction of all privacy, and of that absolute control of the building and grounds which are so essential to the penitentiary system. Nor can your orators anticipate such a result, for:

Ninth. As we are advised and believe, the defendants have no right under the charter of the railroad company, defendant, nor under any of the laws of this Commonwealth, either by filing a bond in court, under the general railroad laws or otherwise, to enter on, and construct and operate a railroad over said penitentiary grounds, while the same are owned, held or occupied by the Commonwealth, for penitentiary purposes exclusively.

Your orators therefore pray your Honors, by preliminary order of this court, to restrain and enjoin the defendants, and their respective agents, workmen, and employees, from entering upon the above described penitentiary grounds without the consent of the proper authorities and officers of the penitentiary, and from constructing or attempting to construct any railroad, or part thereof, over or upon said grounds; and upon final hearing, to order and decree that such injunction be perpetual. And for such other relief as upon the law and facts of this case shall be just and equitable, and to your Honors shall seem meet.

H. & G. C. BURGWIN,
Solicitors for Complainants.

COMMONWEALTH OF PENNSYLVANIA, }
County of Allegheny. } *Sct:*

Before me a notary public in and for said county, residing in the city of Pittsburgh, comes George A. Kelly, above named, who as agent for and, in behalf of the above named plaintiff, say that the statement in the foregoing bill is of his own knowledge are true, and those not of his own knowledge he believes to be true.

GEORGE A. KELLY.

Sworn and subscribed before me this 31st day of December, 1880.

GEORGE C. BURGWIN,
Notary Public.

Commonwealth of Pennsylvania and others }
vs. }
The Pittsburgh and Western Railroad Com- }
pany *et al.* }

No. 172, March, 1881.
In Equity.

And now, January 7, 1881, the plaintiffs in the above case move the court to grant a preliminary injunction against defendants as prayed for in the bill filed in this case.

H. & G. C. BURGWIN,
Solicitors for Complainants.

Commonwealth of Pennsylvania *et al.* }
 vs. }
 Pittsburgh and Western Railroad Com- }
 pany. }

No. 172, March T., 1881.
 In Equity.

CITY OF PITTSBURGH, SCT :

Before me, a notary public, in and for said city, personally came Edward S. Wright, who, being by me first duly sworn. I am, and for about twelve years have been, warden of the Western Penitentiary of Pennsylvania, and am familiar with the present new location of the penitentiary grounds, in the Ninth ward of Allegheny City, and with the plans and internal arrangements of the large penitentiary building now in the course of construction, as shown by the diagram attached to Mr. Butz's affidavit.

In the selection of these grounds for a penitentiary, one leading purpose with those who were chiefly actors in the matter, was to get a location which would be accessible, yet sufficiently large and isolated as to give the managers absolute control of its surroundings. Such control I consider essential to the proper discipline of the establishment. I am of the opinion that the construction of a public railroad through the penitentiary grounds, under the control of a private corporation, especially in front of, and close to, and in full sight, and . . . from the windows of the convicts cells, would seriously and essentially interfere with the prison discipline, would effectually defeat the very purpose for which, at so great an expense, the removal has been made, by destroying the privacy of the grounds, and interfering with that exclusive control which it is so important that the officers of the institution should have over the building and grounds, and by affording to the prisoners greatly increased facilities for communicating clandestinely with the outside world, and perhaps of escape.

Nor is this the only damage which the proposed construction and operation would cause. This site was selected with an additional view to the establishment having its own private landing on the Ohio river, for very important reasons. It must make its own gas, and must, therefore command an abundant supply of coal. This and a large amount of other supplies it has been intended to procure by water transportation, by means of the landing in front, but the use of this landing would be most seriously interfered with, if not substantially destroyed, by the construction and use of the railroad in cutting off all commodious access to the river from the entire building.

EDW. S. WRIGHT.

Sworn and subscribed before me this 5th day of January, 1881.

[SEAL.]

GEO. C. BURGWIN, *Notary Public.*

Commonwealth Pennsylvania *et al.* }
 vs. }
 Pittsburgh and Western Railroad and *al.* }

No. — March T., 1881.
 In Equity.

Before me, a notary public, in and for the city of Pittsburgh, came George A. Kelly and Ormsby Philips, who, being duly sworn, deposes and says :

We are members of the board of inspectors of the Western Penitentiary, charged by virtue of our office, guarding the interests of the State, of the public at large, in the proper care and management of that most important establishment.

The matter of the construction and operation of the Pittsburgh and

Western railroad through the penitentiary grounds has been brought before the board of inspectors, and has been to them a cause of great solicitation and anxiety, while disposed personally to favor public improvements, and to throw no unnecessary obstacles in their way, the board have yet felt that the interests committed to them by the State imperatively require of them to oppose by any legal means the construction of the railroad through the penitentiary grounds. The board have had interviews with the railroad officials on the subject, and have pointed out to them the objections to their taking possession of these grounds for the purpose of their railroad; how great an injury it would, and must, prove to the establishment by throwing it open to the public; destroying that exclusive control which it is so essential to prison discipline that the officers shall have over the prison grounds.

These objections have been met by the claim on the part of the railroad company that they have the right to run their railroad through any part of the penitentiary grounds they thought proper, and by the assertion of their intention to do so in spite of the objection of the board.

John Swan, the defendant, as we are informed, and believe, has contracted with the railroad company for the building of the road, and work has already begun at, and from, the terminus at Hand Street bridge, in Allegheny city, down the Allegheny and Ohio rivers, along the proposed, and located line, towards the penitentiary grounds. On the Ohio river the work is not done continuously on the line, but at intervals of space, irregularly, and for aught we know, or believe, the contractor may begin work at any time on the line which has been surveyed and marked off on the ground through the penitentiary property.

We have no hesitation in saying that the construction and operation of this railroad through this property would not only greatly damage the property by cutting off the river landing, but would seriously impair, and go far to destroy, the property for the purpose of a penitentiary, by interfering with the exclusive control of the building and its surroundings, which is so essential to the proper system and discipline of such an establishment.

Furthermore we have been creditably informed that the railroad company has no right under its charter, or under any franchise legally vested in it, to extend its road any further down the Allegheny river than its present terminus near the Hand Street bridge.

GEORGE A. KELLY.
ORMSBY PHILIPS.

Sworn and subscribed before me this 5th day of January, 1881.

[SEAL.]

GEO. C. BÜRGWIN, *Notary Public*.

Commonwealth of Pennsylvania *et al.*

vs.

The Pittsburgh and Western Railroad Company.

} No. —. March
term. 1881. In
equity.

COUNTY OF ALLEGHENY, *City of Pittsburgh, set:*

Before me, the subscriber, came E. M. Butz, who, being first duly sworn, deposes and says: I am architect of the Western Penitentiary. I know the location of the proposed . . . of the Pittsburgh and Western railroad through the new penitentiary grounds, fronting on the Ohio river, in the Ninth ward of Allegheny City. The said line of location passes through

the present gas-works of the establishment, and along the entire front of the proposed penitentiary building now in course of construction, within a few feet of where the main front door is to be. The plan or diagram, hereto attached, shows correctly the location of the penitentiary grounds, and of the penitentiary buildings now under contract for erection, and partly finished, and in use for its intended purposes; also, the location of the proposed railroad route through the property, as marked on the ground by an engineer, who, I was creditly informed, and so believe, were the engineers of the Pittsburgh and Western Railroad Company, surveying for and locating an extension of said railroad from its present terminus at end of Hand Street bridge in Allegheny City. I am of opinion that the railroad is constructed upon the proposed location, passing so near, as it does, to the under-ground foundation of the town walls on the south-western corner of the penitentiary buildings, would, by the constant vibration caused by running of trains, seriously affect the stability of walls.

E. M. BUTZ.

STATE OF PENNSYLVANIA, *County of Allegheny, set:*

Before me, a notary public, in and for said county, residing in said city, came the above-named E. M. Butz, who, being by me first duly sworn, says that the statement set forth in the foregoing affidavit is true, to the best of his knowledge and belief. Witness my hand and official seal, this 5th day of January, 1881.

GEO. C. BURGWIN,
Notary Public.

STATE OF PENNSYLVANIA, }
County of Allegheny, } *Set:*
City of Pittsburgh.

Before me, a notary public in and for said county, to reside in said city, personally came George A. Kelly and Ormsby Philips, who, being first duly sworn, deposes and says, in supplement to their former affidavit filed in this case:

We are acting in this matter as a committee appointed as such, with power to act, by unanimous vote of the board of inspectors, and are acting as advised by the Attorney General of the State.

In further support of the averment of the bill that the defendants have no legal rights to construct their railroad through the penitentiary grounds, we allege that the Pittsburgh, New Castle and Lake Erie Railroad Company, by, and under the purchase of whose property and franchises, at sheriff sale, the defendant corporation, the Pittsburgh and Western Railroad Company, claim their incorporation was formed by articles of association, September 21, 1877, for the purpose of constructing, maintaining, and operating a railroad, for public use, from Allegheny City, in the State of Pennsylvania, to the village of Wurtemburg, in Lawrence county, Pennsylvania. A copy of said articles of association, as also of the organization of the said Pittsburgh and Western Railroad Company, are hereto attached, and marked, respectively, exhibits "A" and "D."

The said Pittsburgh, New Castle, and Lake Erie Company, shortly thereafter entered upon the construction of their said railroad, and, when ready to enter the city of Allegheny, across its north-eastern boundary line, from the Wurtemburg terminus, the said company applied to the council of said Allegheny City for permission to construct their said rail-

road along the bank of the Allegheny river, or along River avenue, to their adopted terminus in said city, viz: On the east line of Sandusky street, which is a short distance below the Allegheny end of the Hand street bridge. The said city, thereupon, on or about the 21st day of December, 1877, passed an ordinance granting such permission, a copy of which is hereto attached, and made part of this affidavit, marked "Exhibit B." The said company, in pursuance of section three of said ordinance, on the 31st day of December, 1877, accepted the provisions thereof, and filed such acceptance with the controller of said city, a copy of such acceptances being attached hereto, and made part of this affidavit—"Exhibit C." By virtue and in pursuance of said ordinance, the said company did proceed to construct their said road, and use and operate the same to the east side of Sandusky street; and, having purchased the ground there for the purpose, erected thereon a station-house, and adopted and established the same as the western terminus of their road, and have continued, by themselves and their legal successors, the present Pittsburgh and Western Railroad Company, to possess and use the same as such down to present time, and the present attempt of said defendants to continue the said road westerly from said terminus down the Allegheny and Ohio rivers, and through the penitentiary grounds, is without authority of law, so far as we are advised or know.

GEORGE A. KELLY,
ORMSBY PHILLIPS.

Sworn and subscribed before me this 10th day of January, 1881.

GEO. C. BURGESS,
Notary Public.

EXHIBIT "A."

Articles of association to incorporate "The Pittsburgh, New Castle and Lake Erie Railroad Company."

Be it remembered that we, the undersigned citizens of the State of Pennsylvania, being desirous of forming a company for the purpose of constructing, maintaining, and operating a narrow gauge railroad for public use, in the conveyance of persons and property, under, in pursuance of, and subject to the provisions of an act of the General Assembly of the Commonwealth of Pennsylvania, approved the fourth day of April, A. D. 1868, entitled "An act to authorize the formation and regulation of railroad corporations," and a supplement thereto, approved March 18, A. D. 1875, and the other acts of Assembly relating thereto, have made and signed, and do hereby make and sign, these articles of association, and have formed, and do hereby form, a corporation for the purpose of constructing, maintaining, and operating a railroad for public use in the conveyance of person and property, under the name, object, and conditions, as follows:

First. The name of said corporation shall be "The Pittsburgh, New Castle and Lake Erie Railroad Company."

Second. The said company shall continue for the period of nine hundred and ninety-nine years.

Third. The said road is to be constructed, maintained, and operated from Allegheny City, in the State of Pennsylvania, to the village of Wurtzburg, in Lawrence county, Pennsylvania.

Fourth. The length of said road, as near as may be estimated, is to be forty-two miles, to be made through or within the counties of Allegheny, Butler, Beaver, and Lawrence.

Fifth. The gauge shall be three feet.

Sixth. The amount of capital stock of said company shall consist of ten thousand shares, of fifty dollars each.

Seventh. The name of the president is Henry R. Low, who resides at Pittsburgh, Pa.

The names and residences of the directors of said corporation are as follows :

Grinnell Burt, Warwick, New York ; H. R. Low, Pittsburgh, Pennsylvania ; James S. Negley, Pittsburgh, Pennsylvania ; James C. Lewis, Kilbuck township, Pennsylvania ; Delos E. Culver, Pittsburgh, Pennsylvania ; Archibald M. Marshall, Allegheny City, Pennsylvania ; William Martin, Harmony, Pennsylvania ; George A. Chalfant, Etna, Pennsylvania ; James D. Lytle, Harmony, Pennsylvania, who shall manage its affairs for the first year, and until others are chosen in their places.

In witness whereof we have hereto set our respective hands, with the places of residence of each of us, and the number of shares of stock each agrees to take in said company, at Pittsburgh, Pennsylvania, this 21st day of September, A. D. 1877.

James C. Lewis, Allegheny county, Pa.,	2 shares.
D. E. Culver, Pittsburgh, Pa.,	300 shares.
George A. Chalfant, Etna, Pa.,	2 shares.
James S. Negley, Pittsburgh, Pa.,	20 shares.
Austin Pearee, Harmony, Pa.,	2 shares.
William Martin, Harmony, Pa.,	375 shares.
H. R. Low, Pittsburgh, Pa.,	700 shares.
Charles E. St. John, Norwalk, Conn., by D. E. Culver, attorney-in-fact,	150 shares.
John J. Saint, Sharpsburg, Pa.,	2 shares.
A. M. Marshall, Allegheny City, Pa.,	2 shares.
Lewis Dalzell & Co., Allegheny City, Pa.,	50 shares.
Marshall, Kennedy & Co., Pittsburgh, Pa.,	20 shares.
Grinnell Burt, Warwick, New York,	500 shares.
James D. Lytle, Harmony, Pa.,	20 shares.
Spang, Chalfant & Co., Pittsburgh, Pa.,	50 shares.
Isabella Furnace Company, Pittsburgh, Pa.,	100 shares.
James S. Negley, Pittsburgh, Pa.,	220 shares.

STATE OF PENNSYLVANIA, *County of Allegheny, City of Pittsburgh, ss :*

Before me, the subscriber, a notary public for said State, residing in said city, personally appeared William Martin, James S. Negley, and Henry R. Low, three of the directors named in the foregoing articles of association, who, being duly sworn according to law, depose and says that \$3,000 of stock for every mile of railroad proposed to be made has been, in good faith, subscribed to said company, and that ten per centum of said subscribed stock has been paid in cash thereon to the directors named in said articles of association, and that it is intended in good faith to construct, maintain, and operate the road mentioned in said articles of association.

WILLIAM MARTIN,
JAMES S. NEGLEY,
H. R. LOW.

Sworn and subscribed to, this 21st day of September, A. D. 1877, before me
THOMAS B. ALCORN, [L. s.,] *Notary Public.*

Filed and recorded in the office of the Secretary of the Commonwealth, at Harrisburg, on Saturday, the 22d day of September, A. D. 1877.

JOHN B. LINN,
Deputy Secretary of the Commonwealth.

EXHIBIT "B."

AN ORDINANCE

Granting a right of way to the Pittsburgh, New Castle and Lake Erie railroad company, and imposing certain terms and conditions on said company in consideration thereof.

Section 1. Be it ordained and enacted by the Select and Common Councils of the City of Allegheny, and it is hereby ordained and enacted by the authority of the same, That a right of way is hereby granted to the Pittsburgh, New Castle and Lake Erie railroad company, for the purpose of constructing a single or double track narrow gauge railroad along the bank of the Allegheny river, or upon River avenue, from the eastern terminus of the city to the east line of Sandusky street.

SECTION 2. Said grant is made upon and subject to the following terms and conditions, a breach or refusal to comply with any of which shall be deemed, and taken to work an immediate forfeiture of all the rights and privileges granted, viz :

I. Said railroad shall be located and constructed along the bank of the Allegheny river, or upon River avenue, upon such location as may be designated by the street committee, which location, however, shall be at least thirty-five feet south of the property line on River avenue, except at the bridges where it may be a less distance, if said committee so direct. Said railroad shall not occupy more than twenty-four feet in width, except at such places where turn-outs or switches may be necessary for the purposes of freight and passenger depots; but no turn-out or switch shall be located or constructed except such are upon such locations as the street committee may designate.

II. Said railroad shall be so constructed as to cross Chestnut and Anderson streets below grade, but for that purpose no change in the present grade of either of these streets shall be made except by previous authority of council, and in case such authority be granted, said company shall previously file with the controller a bond with sureties, to be approved by him, in double the estimated amount of the damages, and expenses to be incurred by reason of said change, conditioned that said company shall pay all damages and expenses which may result therefrom.

III. Said railroad shall be constructed under the direction of the street committee and city engineer, and in all particulars in regard to the construction and the grades, shall conform strictly to these directions, and shall be so as to allow the convenient use of the wharf for draws and like purposes. As at present to manufactories and saw-mills now located on River avenue, and the present improved wharf, shall be left in as good condition as at present, and all cheek posts required to be removed shall be replaced in proper positions.

IV. Said railroad shall be constructed with at least a single track, and in operation from the terminus to Harmony, Butler county, within eighteen months from the first day of January, 1878.

V. Should said railroad become the property or pass under the control of any other competing line, or shall cease to be operated in good faith for the regular receipt and delivering of freight and passengers at and to the western terminus in the city, the privileges hereby granted shall at once cease and determine.

VI. Said railroad shall, within eighteen months from the 1st day of January, 1878, provide, and thereafter maintain, within the city limits, at convenient and proper places, suitable freight and passenger depots.

VII. No preferences in the reception or delivery of freight, or in rates

for passengers and freights in equal quantities, shall be extended to any person or corporation.

VIII. The councils may, at any time hereafter, by proper ordinances or regulation, prescribe the manner in which trains or cars shall be transported through the city, and the rate of speed, the motive power and fuel, and may require said company to maintain gates and flagmen, or both, at the crossing of all streets or alleys, or at any place where danger to life may be feared, and generally to make any and all rules or regulations in the judgment of councils necessary or proper for the comfort of the citizens, and the security of their lives and property.

IX. The councils shall have the power to grant the right of way over the said railroad, from a point five hundred feet above the Ewalt Street bridge, to the western terminus in the city, to any other company upon proper compensation being paid for the use, which shall be fixed for a term of three years, and re-adjusted every three years in the manner herein provided. In case of failure to agree upon such compensation for the period of sixty days, the same shall be fixed by arbitrators, one to be chosen by each party, and the two thus selected to choose a third, and the award of whom, or a majority of whom, shall be final. Said company receiving such grant shall give to said Pittsburgh, New Castle and Lake Erie Railroad Company like privileges for an equal distance on and over any tracks or lines belonging to them, and connecting with said Pittsburgh, New Castle and Lake Erie railroad, upon compensation being paid by said Pittsburgh, New Castle and Lake Erie Railroad Company therefor, which shall be fixed at the time and in the manner hereinbefore provided; and any company thus obtaining the right to use any portion of the road of another company, shall run their trains on the schedule of the company owning the road, which said schedule shall be fixed so as to afford reasonable and proper facilities to the company obtaining the use.

X. Said railroad shall remove all toll-gates from off the Allegheny and Butler plank-road, between the present terminus of said road, in the city and borough of Etna, and shall make the same a free road between said points.

SECTION 3. This ordinance shall not go into effect until said company shall have filed with the controller a certified copy of a resolution of said company, accepting the provisions hereof, and binding said company and its successors to conform to all the terms and conditions of this ordinance, and agreeing that a breach or refusal to comply with any of said terms and conditions, shall work an immediate forfeiture of all the privileges hereby granted.

OFFICE OF CLERK OF COUNCILS, CITY BUILDING,
ALLEGHENY, December 2, 1880.

To Whom it May Concern :

I hereby certify that the foregoing ordinance was passed by the select and common councils at their meeting held on Friday, December 21, A. D., 1877, and approved by the mayor December 26, 1877.

R. T. WHITE,
Clerk of Select Council.

EXHIBIT "C."

OFFICE OF THE
PITTSBURGH, NEW CASTLE AND LAKE ERIE RAILROAD COMPANY.
Minute—Extract.

WHEREAS, The select and common council of the city of Allegheny have

enacted an ordinance, No. 47, granting a right of way to the Pittsburgh, New Castle and Lake Erie Railroad Company, and imposing certain terms and conditions:

Be it resolved, That the Pittsburgh, New Castle and Lake Erie Railroad Company both accept said ordinance and agree herewith to perform all and singular the requirements therein provided

GEORGE A. CHALFANT, V. P.,
President pro tem.

Attest: W. MARTIN, *Secretary.*

PITTSBURGH, *December 31, 1877.*

[Seal of company.]

EXHIBIT "D."

Commonwealth of Pennsylvania, ss:

WHEREAS, By virtue of a writ of *fierias facias*, issued out of the court of common pleas No. 2, of the county of Allegheny, in the Commonwealth of Pennsylvania, to No. 24 of October term, 1879, upon a judgment recovered July 16, 1879, in said court, at No. 654 July term, 1879, at the suit of John H. Shoenberger against the Pittsburgh, New Castle and Lake Erie Railroad, [a corporation of said Commonwealth,] the said railroad of said Pittsburgh, New Castle and Lake Erie Railroad Company, together with all the franchises, rights, and property, real and personal and mixed, of the said, The Pittsburgh, New Castle and Lake Erie Railroad Company, situated in the counties of Allegheny, Butler, Beaver, Lawrence, and Mercer, including locomotives, flat cars, baggage cars, hand cars, box cars, gondola cars, passenger cars, and all other rolling stock, iron track, office furniture, rights of way, privileges, leases, contracts, &c., of the said corporation, was duly levied upon, seized, and taken in execution, and afterwards, on the 27th day of August, 1879, sold by the sheriff of said county of Allegheny, pursuant to due legal notice, to A. M. Brown, James Callery, and John W. Chalfant, for the sum of \$5,500, they being the highest bidders, and that being the highest and best price bidden for the same. Which sale was duly confirmed by said court of common pleas No. 2, of the county of Allegheny, and the said sheriff, Thomas H. Hunter, of said county, thereupon, to wit: August 27, A. D. 1879, by his deed poll of that date, conveyed said railroad, franchises, property, &c., to the said purchasers, thereby vesting in them a good title to the same by said deed delivered the same day.

And whereas, The said A. M. Brown, James Callery, and John W. Chalfant did afterwards give due public notice, by advertisement inserted in the Pittsburgh *Dispatch*, a newspaper published in the city of Pittsburgh and county of Allegheny, (being the city and county wherein said sheriff's sale took place,) once a week, for at least two weeks, conformably to law, calling and appointing a meeting of the persons for whose account and the said railroad, franchises, property, &c., were purchased, to be held on the 24th day of September, A. D. 1879, at two o'clock, P. M., at the office of A. M. Brown, Esq., No. 134 Fifth avenue, in the said city of Pittsburgh. And in pursuance of said public notice, the said A. M. Brown, James Callery, and John W. Chalfant, and A. M. Marshall, Charles Gibson, William Irvine, John A. Caughey, S. S. Marvin & Co., Boggs & Buhl, William G. Johnston, J. J. Saint, Elias Ziegler, and C. B. Herron, the persons for or on whose account said railroad, franchises, property, &c., were purchased as aforesaid, met at the time and place appointed, and designated in and by said public notices, for the purposes therein specified, to wit: The organization of a new corporation, by the election of a president and board

of directors, and transacting such other business as should be necessary and proper in the premises, conformably to the act of Assembly in such cases made and provided. And they then and there organized said new corporation, by the name, style, and title of the Pittsburgh and Western Railroad Company, and elected a president and board of directors, hereinafter named, to continue in office until the first Monday of May, A. D. 1880. And did then and there adopt the said corporate name, and a corporate or common seal, and did also determine the amount of the capital stock thereof, to wit: \$125,000 divided into twenty-five hundred shares, of the par value of fifty dollars each, the said Pittsburgh and Western Railroad Company to have, hold, own, and use all the rights, and be vested with all the rights, title, interest, property, possession, claim, and demand in law and equity, of, in, and to said railroad company, which said Pittsburgh, New Castle and Lake Erie Railroad Company was incorporated on the 22d day of September, A. D. 1877.

Now, therefore, The said Pittsburgh and Western Railroad Company makes this certificate under its common seal, attested by the signature of its president, specifying and attesting the facts hereinabove stated, and also certifying as follows:

First. That the said, The Pittsburgh and Western Railroad Company, was duly organized as a corporation under said name on the 24th day of September, A. D. 1879, at the city of Pittsburgh, in the Commonwealth of Pennsylvania.

Second. That the name, "Pittsburgh and Western Railroad Company," was adopted as the corporate name of said company.

Third. That the amount of its capital stock is \$125,000, divided into twenty-five hundred shares, of the par value of fifty dollars each.

Fourth. The name of its president is James Callery, and the names of its directors are A. M. Marshall, (vice president,) A. M. Brown, Charles Gibson, John W. Chalfant, Joseph S. Brown, W. G. Johnston.

Fifth. The said corporation transmits this certificate to the Secretary of State, at Harrisburg, to be filed in his office, and there remain of record, conformably to the act of Assembly in such cases made and provided.

{ ^{Seal of}
Pittsburgh and Western } In testimony whereof, the corporate and common seal
Railroad Exchange. } of said corporation is affixed hereto, attested by the signature of the president of the corporation, the 26th day of September, A. D. 1879.

JAMES CALLERY,

President of Pittsburgh and Western Railroad Company.

Filed in the office of the Secretary of the Commonwealth, at Harrisburg, on Saturday, the 11th day of October, A. D. 1879.

J. R. McAFEE,
Deputy Secretary.

The Commonwealth of Pennsylvania, and
the Board of Inspectors of the Western
Penitentiary
vs.
The Pittsburgh and Western Railroad
Company *et al.*

No. 172, March term, 1881.
In Equity.

ALLEGHENY COUNTY, ss:

Emile Law, being duly sworn according to law, deposes and says: That he is the general surveyor and chief engineer of the Pittsburgh and Western Railroad company, defendant.

That said railroad company is duly incorporated under the laws of the

Commonwealth of Pennsylvania, and has already constructed and is regularly maintaining and operating a narrow gauge railroad from a point near Sandusky street and River avenue, in the city of Allegheny, to a point near the town of Wurtemberg, in the county of Lawrence—a distance of nearly fifty miles—and as such public corporation is engaged in carrying freight and passengers, and the United States mails thereon.

That in pursuance of the corporate rights and powers, and with the consent of the councils of said city of Allegheny, granted by ordinance, is proceeding with due and reasonable diligence to extend and complete said railroad from its present terminus on River avenue, near Sandusky street, to the western limits of the city, at or near Jack's run.

Affiant avers that as general surveyor of the said railroad company, he has surveyed several experimental lines upon and over the penitentiary grounds, for the purpose of locating and determining the right of way to be used by the said railroad company, but none of the experimental lines so run and surveyed by him have been, in fact, fixed, determined, or agreed upon by the said corporation, defendant; and the allegations in the sixth, seventh, and eighth paragraphs of plaintiff's bill that defendants "have located a line through the same," and have adopted the said line of location, and have entered into a contract with the defendant, John Swan, for the construction and erection of the railroad thereon, either in whole or in part, are untrue. That it is not true, as alleged in the seventh paragraph of plaintiff's bill, that "the officers, agents, and employés of the said railroad company have averred, on several occasions, their determination to construct the said railroad through the said penitentiary grounds, notwithstanding any objections or remonstrances from the board of inspectors." Nor is it true, as alleged, in said paragraph, that "it has been stated by some of them that where they anticipated opposition by a land owner, to the construction of the railroad over his grounds, they would take possession and put it through in the right time;" but on the contrary, the said railroad company has in all cases, including that of the plaintiff, proceeded to locate its line and obtain its right of way by amicable settlements and contracts, with a view of avoiding all legal difficulties and controversies.

The allegation in the sixth paragraph of plaintiff's bill, that a party of civil engineers, under orders of the said railroad company, have surveyed a line in some places not more than two or three feet distant from the front of the main penitentiary building, is untrue; at no point upon the experimental lines surveyed by the affiant, as engineer of said railroad company, does the survey come within ten feet of the steps, or approach to the front door of the main building, and upon some of the surveys the nearest point of the experimental line is sixty feet distant.

That one of the experimental surveys, the one nearest the main building, runs close to and along the bank of the Ohio river, and the other experimental lines are run outside said river bank, at many points more than fifty feet therefrom.

That if said railroad (and its right of way) be located upon the first-mentioned experimental line, the roadway and trackway of said company will be about grade with the abutting property, and in no way or manner will such location injure, destroy, or interfere with the private landing or water front of the grounds lying along the Ohio river.

That if any one of the experimental lines run outside of the river bank be finally adopted by the company, the roadway or trackway will be built and run upon trestle work, and the approach to the private landing on the river can easily and readily be made under said trestle work.

That said experimental surveys have been made, so far as it was possi-

ble, to meet the wishes of the board of inspectors of said penitentiary, and in no way interfere with any buildings or improvements thereon. Affiant denies that the construction and operation of said railroad through the said penitentiary grounds, on any of the experimental lines surveyed by him, will materially impair and destroy the use and value of the grounds for the purposes for which they have been acquired by said Commonwealth. On the contrary, the said railroad will be of great advantage to said penitentiary, and will not impair its value, or injuriously affect or disturb it in any manner whatever.

That said penitentiary grounds and buildings are not located in a "secluded spot," "and in a measure shut off from the outside world," but in a populous business and manufacturing center, and surrounded by manufacturing establishments, business houses, and dwellings, and broad city streets and avenues.

That it is entirely practicable to make, construct, and build said railroad along the Ohio river, and, in pursuance thereof, the said experimental lines have been surveyed along the Ohio river upon ground not used, nor intended to be used, by the board of inspectors of the penitentiary for building purposes, and at a sufficient distance from said buildings to avoid any injury to plaintiffs' property.

That the ground acquired by the State for penitentiary purposes is much larger in area than is actually necessary therefor, and that to prevent the reasonable and proper occupancy of a right of way for the defendant railway company through said grounds would be unreasonable and unjust, and a denial of the corporate rights and franchises granted to the corporation by the Commonwealth, and will be a serious loss and damage to said railroad company, because it has, at great expense, procured rights of way, and incurred large liabilities for the construction of its railroad to Jack's run, aforesaid.

That a denial of its rights to an easement or right of way through the said property of the State would defeat the whole undertaking, and involve the said corporation and its stockholders in great and irreparable loss.

The defendant corporation has entered into contracts with John Swan and H. L. Preisler, respectively, for the construction of the whole line of the said railroad to the city line at Jack's run, and considerable work has been done, and a large amount of money has been expended in the furtherance of the work, but by an express provision in said contracts the company has the right to change its lines of location and grade at any point, and are not bound by either experimental lines or actual locations made for said railroad.

All of which is true, as he verily believes.

EMILE LOW.

Sworn and subscribed before me, this 6th day of January, A. D. 1881.

J. O. BROWN,
Prothonotary.

The Commonwealth of Pennsylvania and the Board of Inspectors of the Western Penitentiary
vs.
The Pittsburgh and Western Railroad Company *et al.*

No. 172, March term, 1881,
In Equity.

To the Honorable the Judges of the Court of Common Pleas No. 1, of the County of Allegheny:

The said James Callery, as well for the Pittsburgh and Western Railroad

company as for himself, as president of said company, upon his solemn oath, duly administered, deposes and says :

That the said Pittsburgh and Western Railroad company is a corporation of the said Commonwealth, duly created for the public purpose of building and constructing a railroad within this Commonwealth, in the city of Allegheny, and in the counties of Allegheny, Butler, Beaver, Mercer, and Lawrence, and having also, by its said charter of incorporation, all the delegated rights of eminent domain conferred upon like corporations by the general railroad laws of this Commonwealth, including rights, power, and authority, granted for the location and construction of such railroads by the provisions of the act of Assembly of February 19, 1849, commonly called the general railroad act of April 4, 1865, (P. L., 62,) and the respective supplements thereto ; that it has already constructed and is regularly maintaining and operating a public railroad from within the city of Allegheny to a point near the town of Wurttemberg, a distance of nearly fifty miles, and is constantly carrying freight and passengers, and United States mails thereon.

That said corporation is proceeding with due and reasonable diligence to extend and complete said railroad through said city of Allegheny (with the consent of the councils of said city duly granted by ordinance,) to the western limit of the city, at or near Jack's run.

Although a considerable portion of the said railroad has been located between Federal street and the western limit of the city, no location has been in fact fixed or determined in or upon the said penitentiary grounds ; and the allegations in the sixth, seventh, and eighth paragraphs of plaintiffs' bill, that defendants " have surveyed and located a line through the same," and " have adopted the said line of location, and have entered into a contract with the defendant, John Swan, for the construction and erection of a railroad thereon, either in whole or in part," are untrue. No line of location or right of way through the said penitentiary grounds has been made and adopted. Several experimental lines have been run, and the officers of said railroad company have had interviews with the said Board of Inspectors of the Western Penitentiary, with the honest purpose of fixing a location that should be satisfactory to said inspectors, and not injurious to the penitentiary property. Such interviews were had and suggestions made in good faith, and entertained by the inspectors, who intimated that the same would be considered and an answer given, within a reasonable time, indicating what location would be satisfactory to them. In view of these facts, the defendants have refrained from fixing or adopting any line of location through said grounds. Furthermore, they have not in any manner interfered with said grounds or buildings, nor have they proceeded to any act to definitely fix said location or appropriate said grounds.

It is not true that " the officers, agents, and employés of said railroad company, have averred on several occasions their determination to construct the said railroad through the said penitentiary grounds, notwithstanding any objections or remonstrances from the Board of Inspectors," nor is it true that " it has been stated by some of them that where they anticipated opposition, opposition by a land owner to the construction of the railroad over his grounds, they would take possession and put it through in the right time." Said recited charges are unjust to the defendants and untrue in fact.

On the contrary, the officers and agents of the company have, in all cases, including that of the plaintiffs, proceeded with care and precaution, and endeavored to make amicable arrangements and contracts for the right of way, and to avoid difficulties and controversies. It is not true that any

line of location, either experimental or otherwise, has been surveyed, marked, or located, in any place not more than two or three feet distant from the main penitentiary building. The last experimental line suggested was suggested and measured in the presence of several of the plaintiffs, and was shown to be not less than sixty feet from the front door of the main building, which door is in a projecting part of the main building, and nearest to the Ohio river.

The suggested location was necessarily made along the river, and seemed to be the location favored by the said inspectors, the only debatable question being the distance it should be placed from the building, and it was suggested by several members of the board of inspectors that the construction of said railroad along the said river line would be advantageous to the penitentiary, and furnish means of transportation that does not at present exist for the carrying of both freight and passengers.

Affiant denies that the construction and operation of said railroad through said grounds would impair their use and value for the purposes for which they were acquired, and are about to be improved, and he avers that, on the contrary, the said railroad will be of advantage to said penitentiary, and that it will not impair the value thereof, or injuriously affect or disturb it in any manner whatever.

The said penitentiary grounds are not in a "secluded spot," or, in any sense, "shut off from the outside world;" but, on the contrary, are in a populous ward of the city of Allegheny, with manufacturing establishments, business houses, and dwellings, and public avenues on all sides of it, and extending far beyond it.

The construction of said railroad is necessary for the accommodation of trade, business, and travel, and would be a public benefit. Respondent further says that it is entirely practicable to locate, construct, and operate the said railroad along the Ohio river, and upon ground not intended to be used by the board of inspectors of the penitentiary for building purposes, and sufficiently distant from the said buildings to avoid any injury whatever to the plaintiff's property; that the ground acquired by the State for the purposes of said penitentiary is much larger in area than is actually necessary for the said prison; that to prevent the reasonable and proper occupancy of a right of way for the defendant railway company through said grounds would be unreasonable and unjust, and a denial of the corporate rights and franchise granted to the corporation by the Commonwealth. The defendant company has, at great expense, procured rights of way, and incurred very large liabilities for the constructing of its said railroad to Jack's run aforesaid, and a denial of its rights to an easement, or right of way through the said property of the State, would defeat the whole undertaking and involve the said corporation and its stockholders in great and irreparable loss. The defendants were led to believe, from the statements made by the members of the said board of inspectors, that the constructing of said railroad upon the general route indicated, and through the grounds of the said penitentiary, was both proper and desirable. The only matter undetermined was the exact line of location, although it was well understood and agreed that the location should and would be between the Ohio river and the main building, and the defendant company has acted upon that understanding in proceeding with the work, at great expense, both above and below the penitentiary grounds.

The defendant is willing to make any reasonable concession to the plaintiffs in locating said road that is reasonably practicable, relying upon the said facts and proceeding in good faith to construct the said railroad, (but awaiting the answer of the said board of inspectors as to the line they de-

sire to have fixed through the said grounds.) The defendants had no notice of the objections set forth in the bill, or of intended litigation, until the service of said bill and newspaper publications.

Affiant denies the right or authority of the individual plaintiffs and their solicitors to use the name of the Commonwealth as one of the plaintiffs in this suit, or that the same is used by the authority of the proper officer.

The defendant corporation has entered into contracts with John Swan and H. L. Preisler, respectively, for the construction of the whole line of the said railroad to the city line at Jack's run, and considerable work has been done, and a large amount of money has been expended in the furtherance of the work, but by an express provision in said contracts the company has the right to change its lines of location and grades at any point, and are not bound by either experimental lines or actual locations made for said railroad.

All of which is true to the best of his information, knowledge, and belief.

JAMES CALLERY.

Sworn and subscribed before me, January the 6th, 1881.

J. O. BROWN,
Prothonotary.

Commonwealth of Pennsylvania <i>et al.</i>	}	In the court of common pleas, No. 1, Allegheny county. In equity.
<i>vs.</i>		
Pittsburgh and Western Railroad Co. <i>et al.</i>		

ALLEGHENY COUNTY, ss:

J. J. Saint, general agent of the Pittsburgh and Western Railroad Company, defendant, being duly sworn, deposes and says that said corporation is duly organized under the railroad laws of the Commonwealth of Pennsylvania, and, as such corporation, is operating a narrow-gauge railroad from a point on River avenue, (near Sandusky street,) in the city of Allegheny, to a point at or near Wurtemburg, in Lawrence county, Pennsylvania, and carrying freight, passengers, and the United States mail.

That the said company is proceeding to extend its line aforesaid from the present terminus on River avenue, (near Sandusky street,) in the city of Allegheny, to a point at or near Jack's run, the western limits or boundary of said city, and in pursuance thereof has made several experimental lines and surveys over and upon the grounds of the Commonwealth at the penitentiary in the Ninth ward of said city, but denies that any line of survey has been actually adopted, approved, and determined upon by the said railroad company.

That it is practicable to locate the right of way desired by the railroad company over the said penitentiary grounds in such manner as not to interfere with the use and purpose for which the same were acquired by the Commonwealth.

That all of the experimental surveys have made to meet, as far as possible, the wish of the board of inspectors of said penitentiary, and he denies there is, or has been, any intent on the part of said railroad company, or of any other authorized person on its behalf, to willfully and forcibly, or by any illegal or unauthorized means, push said trackway, roadway, or railroad across the grounds of said Commonwealth, and build and complete the same in the night-time.

On the contrary, the company has proceeded by legal, lawful, and amica-

ble arrangements and contracts to secure all the rights of way, (including that of plaintiffs,) and has endeavored to avoid all legal controversies relating thereto.

That all experimental lines run upon the property of the said Commonwealth avoid buildings and improvements thereon, and in no manner depreciate or injure the ground. On the contrary, by reason of the populous business and manufacturing center in which the penitentiary grounds are located, the railroad will be of great value and advantage to said grounds and penitentiary, and will open a means of communication for shipment of supplies, commodities, and material not now possessed by said penitentiary, and will greatly increase the value, not only of its grounds, but of adjoining and abutting property.

That if the said railroad company is prevented from acquiring a reasonable and convenient right of way through and over the ground of said Commonwealth, and denied the right to use and cross the same, it will greatly interfere with the rights and contracts of said company, and cause irreparable loss and damage to the said corporation defendant and its stockholders, for the reason that said company has already secured valuable rights of way, and entered into large contracts for the completion of its road to Jack's run aforesaid.

That it is untrue that said grounds and penitentiary buildings are located in a secluded spot, but on the contrary are surrounded by broad streets and avenues, and by manufacturing establishments and residences, and the completion of the road will be a great public benefit to the many manufacturing, mills, establishments, business houses, and residences along the line.

All of which is true as he verily believes.

J. J. SAINT.

Sworn and subscribed before me, this 7th day of January, 1881.

J. O. BROWN,
Prothonotary.

Commonwealth of Pennsylvania *et al.* }
vs. }
Pittsburgh and Western Railroad Com- }
pany *et al.* }

No. 172 March T, 1881.
In Equity.

ALLEGHENY COUNTY, ss :

James Callery, being duly sworn, deposes and says that he is the president of the defendant company, that said Pittsburgh and Western Railroad Company became vested with all the property rights, title, and possession, and claim, and powers, immunities, privileges, and franchises of the Pittsburgh, New Castle and Lake Erie railroad company by a judicial sale and conveyance thereof, under process of the court of common pleas No. 2, of the county of Allegheny, and an organization of the franchises under the name of Pittsburgh and Western railroad company conformably to the act of Assembly of April 8, 1861, and the supplement thereto, approved May 5, 1878, (P. L. 145,) all of which proceedings are briefly recited in the certificate filed in the office of the Secretary of State at Harrisburg, and of which a duly certified copy is herewith presented. That said Pittsburgh, New Castle and Lake Erie railroad company was duly incorporated under the general railroad laws of this Commonwealth for the public purposes of constructing a railroad within the city of Allegheny, and the counties of Allegheny, Butler, and Beaver, Mercer, and Lawrence, and had prior to

the said judicial sale completed a large part of said railroad within said city, a part of its road in the county of Allegheny, and in the county of Butler, and was operating a portion thereof and carrying freights and passengers, that since the defendant company became the purchaser of said railroad property, rights, franchises, &c., it has completed the said railroad to a point near the town of Wurtemburg, in Lawrence county, Pennsylvania, (and in the other direction) to a point in the City of Allegheny on River avenue near Sandusky street, and is proceeding with due diligence to complete said road to its terminus at Jack's run the western line of Allegheny City, near the Ohio river. according to the general line course of said railroad and its charter. That the said Pittsburgh, New Castle and Lake Erie railroad company was incorporated, as aforesaid on the 22d day of September, 1877, and the said Pittsburgh and Western railroad company is vested with the rights, powers, immunities, franchises, &c., of said Pittsburgh, New Castle and Lake Erie railroad company, and with the right, power, and authority to construct and operate the said railroad through the city of Allegheny by a line along or near to the northern bank of the Allegheny and Ohio rivers to the western line of said city. All of which is true, as he verily believes.

JAMES CALLERY.

Sworn and subscribed this 7th day of January, A. D. 1881.

J. O. BROWN,
Prothonotary.

COMMONWEALTH OF PENNSYLVANIA, } ss :
Allegheny County, }

I, J. O. Brown, Prothonotary of the Court of Common Pleas, No. 1, in and for said county, certify that the foregoing is a full and correct copy of the whole record of the case therein stated, wherein the Commonwealth of Pennsylvania *et al.* are plaintiffs, and the Pittsburgh and Western Railroad Company *et al.* are defendants, as the same remains of record before the said court at No. 172, of March Term, A. D. 1881.

In testimony whereof, I have hereunto set my hand, and affixed the seal of the said court, the 24th day of March, A. D. 1883.

J. O. BROWN,
Prothonotary.

ALLEGHENY COUNTY, ss :

I, Edwin H. Stowe, President Judge of the Court of Common Pleas, No. 1, in and for said county, certify that J. O. Brown, by whom the above attestation was made, was, at the date thereof, prothonotary of said court, duly qualified ; and the said attestation is in due form of law, and made by the proper officer.

Witness my hand and seal the 24th day of March, A. D. 1883.

[SEAL.]

EDWIN H. STOWE.

ALLEGHENY COUNTY, ss :

I, J. O. Brown, Prothonotary of the Court of Common Pleas, No. 1, for said county, certify that Honorable Edwin H. Stowe, Esquire, by whom the above certificate was given, and whose name is hereby subscribed in his own proper handwriting, was, at the date thereof, president judge of the said court, duly commissioned and sworn, and acting.

In witness whereof, I have hereunto set my hand, and affixed the seal of said court, the 24th day of March, 1883.

J. O. BROWN,
Prothonotary.

